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DEPARTMENT OF EDUCATION

STATE OF ALABAMA

Law, Statute

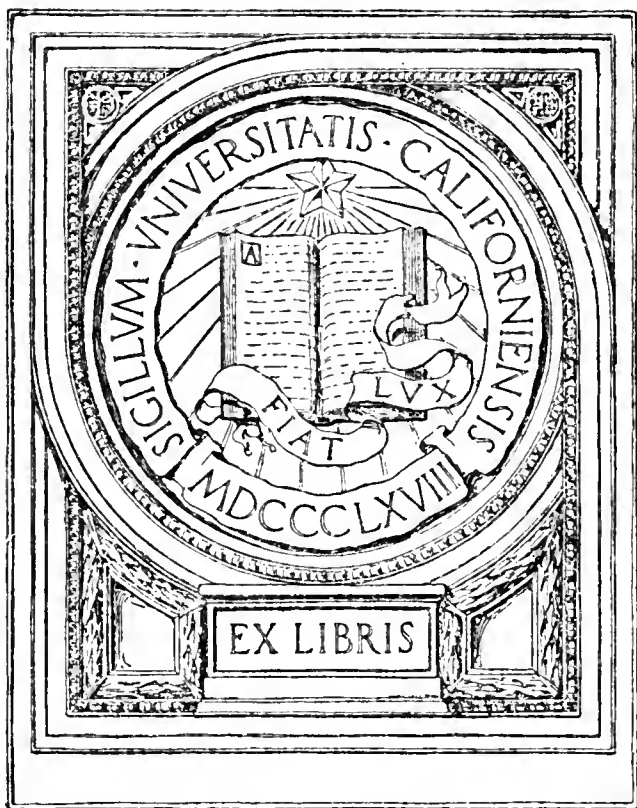
SCHOOL CODE

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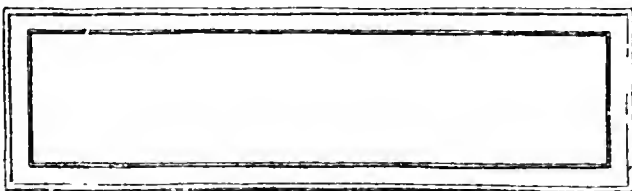


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OCTOBER 1, 1919



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DEPARTMENT OF EDUCATION

STATE OF ALABAMA , *Laws, statutes, etc.*

SCHOOL CODE

INCLUDING ALL LAWS RELATING TO EDUCATION

OCTOBER 1, 1919



SPRIGHT DOWELL,
Superintendent of Education

LB2529

A23

1919a

STATE BOARD OF EDUCATION

Governor THOS. E. KILBY

MRS. T. G. BUSH	GEO. H. LANIER	L. B. MUSGROVE
A. H. CARMICHAEL	DR. D. T. MCCALL	A. L. TYLER

SPRIGHT DOWELL, Executive Secretary

To School Officials:

This pamphlet contains the new school code as enacted by the Legislature of 1919, the acts carrying the appropriations necessary to make various sections of the code effective, and such other statutes as are of interest to those charged with the administration and supervision of the schools.

It would have been possible to have arranged the contents in better form, but to do this would have necessitated considerable delay inasmuch as the material which was set up for the Secretary of State was immediately used in the preparation of this code. It seemed desirable, therefore, because of the number of radical changes involved in the laws to get the code into the hands of the public as early as practicable. By reference to the index it will be a simple matter to turn to any subject of interest.

It will be recalled that a Code Commissioner has been appointed to report at the next session of the Legislature. You are therefore requested to keep on your desk this personal copy noting therein any inconsistencies or irregularities that may occur to you and to write us from time to time giving us the benefit of any such discoveries.

SPRIGHT DOWELL,
Superintendent.

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ALABAMA GENERAL LAWS

REGULAR SESSION, 1919

No. 442.)

(S. 470.—Carmichael.)

AN ACT

To provide a complete educational system for the State of Alabama; to provide a public school fund; to provide for the administration of the public schools and create a State board of education and prescribe its powers and duties; to create county and city boards of education, to define their respective powers and duties, to provide for the payment of their necessary expenses and equipment including furniture; to provide for the holding of elections for the one mill county tax on each dollar of taxable property under the Constitution of 1901; to provide for the holding of elections for the county tax of three mills or less on each dollar of taxable property under the amendment to the Constitution of 1901; to provide for the holding of elections for the district tax of three mills or less on each dollar of taxable property, and to prescribe the method of holding such elections; to prescribe the duties and powers of the State superintendent of education and to fix his compensation; to provide for the organization of the State department of education; to provide for the appointment of county superintendents of education, to define their duties and powers and to provide for their compensation; to provide for boards of school trustees; to provide for the appointment of city superintendents of education, to define their duties and powers, and to provide for their compensation; to provide for supervisors of schools in the various counties and cities, to fix their duties and powers, and to provide for their compensation; to provide for the use of a bonus fund for counties levying and collecting a special county tax for school purposes, and to fix the amount in accordance with the rate of such special tax; to provide for a county treasurer of school funds; to provide for compulsory attendance upon the schools of the State within certain ages, to fix penalties, to provide for the appointment of attendance officers and to define their duties and fix their compensation and to provide the method of enforcing compulsory attendance within the ages prescribed; to provide for the certification of teachers, and to provide for the use of appropriations for the issuance of certificates and for the conduct of teachers institutes; for the training of teachers in service, and provide the necessary clerical and other assistants; to provide financial assistance for the erection, repair and equipment of rural school-houses, and to prescribe the conditions under which such assistance may be obtained; to provide for the sale and conveyance of certain lands that have been conveyed to the State for school purposes; to provide for rural libraries throughout the State, including the method by which assistance may be obtained; to provide for vocational education and for the use of appropriations therefor; to provide for the removal of illiteracy among adults as well as among minors, and for the use of appropriations therefor; to provide uniform text books throughout the State and to authorize the creation of a State textbook committee and to define its powers and duties; to provide for county high schools and prescribe the conditions under which such county high schools may obtain assistance from the State, and to authorize such county high schools to

receive financial assistance from county boards of revenue; boards of education; school districts or private sources; to provide for county high schools treasurers; to fix their bonds and prescribe their powers and duties and to provide for the payment of the premiums upon their bonds; to provide for county treasurers of school funds; to fix their bonds and prescribe their powers and duties and to provide for the payment of the premiums upon their bonds; to provide for changing the name of the nine branch agricultural schools and experiment stations, or district agricultural schools, and of the Northeast Alabama Agricultural and Industrial Institute to State secondary agricultural schools, to provide for their management and control and for their continuance upon the meeting of certain requirements and for the use of appropriations therefor; to provide for certain State normal schools and for their control and management and for the use of appropriations therefor; to provide for the creation of the Alabama School of Trades and Industry and for its control and management; to provide for changing the name of the Agricultural and Mechanical College for Negroes to Agricultural and Mechanical Institute for Negroes and to provide for its management and control and for the use of appropriations therefor; to provide for changing the name of the school heretofore established at Montevallo as the Alabama Girls' Industrial School, later called the Alabama Girls' Technical Institute, to the name of the Alabama Technical Institute and College for Women; to create a board of trustees for such institute, to prescribe their powers and duties, their method of appointment, and length of service, and for the use of appropriations therefor; to provide for the management and control of the Alabama Polytechnic Institute, to define the powers and duties of the board of trustees, the method of appointment of such trustees, and for the use of appropriations to said institute; to provide for the management and control of the University of Alabama, to define the duties and powers of the trustees, the method of appointment of such trustees, and for the use of appropriations to the University; to provide for a summer school at the University of Alabama and for the use of appropriations therefor; to create a State council of education and to prescribe its powers and duties; to provide for the management and control of the Alabama Institute for the Deaf; of the Alabama Academy for the Blind, and of the Alabama School for Negro Deaf and Blind, to create a board of trustees therefor and to provide for the method of their appointment and the length of service and for the use of appropriations therefor; to provide for the establishment and maintenance of the Alabama Boys' Industrial School, to provide for the management and control thereof, and for the appointment of a board of directors, to define their powers and duties and the method of committing boys thereto, and for the use of appropriations therefor; to provide for the maintenance and establishment of the Alabama School for Juvenile Negro Lawbreakers; to provide for the management and control thereof, and for the appointment of a board of directors, to define their powers and duties, and for the method of committing boys thereto, and for the use of appropriations for such school, to provide for the lease and sale of school lands in the State; to make certain requirements with reference to the bonds of officials and employees authorized under the provisions of this act; to require county and city boards of education to give regular instruction in all schools under their direction as to the nature of alcoholic drinks, tobacco and other narcotics; to require private, denominational and parochial schools to make reports; to provide penalties for the violation of the provisions of this act and to provide for the repeal of inconsistent laws enacted hereafter.

Be it enacted by the Legislature of Alabama:

ARTICLE 1. PUBLIC SCHOOL FUND.

Section 1. For the maintenance of a system of public schools of the State the following sums of money are hereby appropriated for every scholastic year, to-wit: (1) The annual interest at six per cent on all sums of money which have heretofore been or which may hereafter be received by the State, as the proceeds of sales of lands granted or entrusted by the United States to the State, or to the several townships thereof, valueless sixteenth section fund, and school indemnity fund for school purposes. (2) The annual interest at four per cent on that part of the surplus revenue of the United States deposited with the State under the act of Congress approved June 23, 1836. (3) All annual rents, incomes, and profits or interest arising from the proceeds of sales of all such lands as may hereafter be given by the United States, or by this State, or by individuals, for the support of the public schools of the State. (4) All such sums as may accrue to the State as escheats the same to be applied to the support of the public schools during the scholastic year next ensuing the receipt in the State treasury. (5) The net amount of poll tax that may be collected in the State; poll tax collected in every county to be retained therein for the support of the public schools thereof and distributed and disbursed as provided in this chapter. (6) Licenses which are by law required to be paid into the school fund of any county to be promptly paid by the Judge of Probate or other person collecting the same to the custodian of public school funds of the county or district, to be expended for the benefit of the public schools of each county. (7) A special annual tax of thirty (30) cents on each one hundred dollars worth of taxable property in this State. (8) A further sum or sums to be appropriated by the Legislature for each scholastic year.

Section 2. All such appropriations, except the poll tax, shall accrue to the educational fund on the first day of October in each year; and on that day the State Auditor shall place to the credit of that fund, on the books in his office, all such amounts as accrue thereto from the sources in this article mentioned, except the poll tax, for the scholastic year beginning on that day.

ARTICLE 2. ADMINISTRATION OF PUBLIC SCHOOLS.

Section 1. There shall be throughout the State of Alabama a general system of public schools, including such types of instruction and educational institutions and agencies as may be provided for by general law or by county or district authority, acting under the general powers conferred upon such by this Act.

Section 2. The supervision of the public schools of the State shall be vested in the State superintendent of education with the

advice and counsel of a State board of education, and their powers and compensation shall be fixed by law.

Section 3. Educational matters affecting counties shall be under the control of a county board of education and educational matters affecting cities and towns of one thousand (1000) or more inhabitants, according to the last or any succeeding Federal census, shall be under a city board of education, except as otherwise provided by law.

ARTICLE 3. STATE BOARD OF EDUCATION.

Section 1. The State board of education shall be composed of the governor, of six members to be appointed by him, no two of whom shall reside in the same Congressional district, and confirmed by the Senate for terms of twelve years beginning on the first day of October next succeeding their appointment, and of the State superintendent of education who shall be chairman and executive officer of the board. In making the first appointments under this section, the governor shall appoint two members whose terms of office shall expire on September 30, 1923; two members whose terms of office shall expire on September 30, 1927; and two members whose terms of office shall expire on September 30, 1931; and thereafter as the respective vacancies occur, appointments to the State board of education shall be made by the governor before the first day of October and for terms of twelve years. The members of the board shall be appointed solely for their character and fitness, but no person shall be appointed to the board who is in any way subject to its authority. The governor may remove any member of the board appointed under the provisions of this section for immorality, misconduct in office, incompetency, or wilful neglect of duty, giving to him a copy of the charge against him, and an opportunity of being publicly heard in person or by counsel in his own defense, upon not less than ten (10) days' notice. If any member shall be removed, the governor shall file in the office of the Secretary of State a complete statement of all charges against such member, and his findings thereon, together with a complete record of the proceedings. Vacancies on the board for any cause shall be filled by the governor, for the unexpired term, and until a successor qualifies. Before exercising any authority or performing any duty as a member of the State board of education, each member thereof shall qualify as such by taking and subscribing to the oath of office prescribed by article sixteen (16) of the State Constitution, the certificate whereof shall be filed with the records of the State board of education.

Section 2. The State Board of Education shall hold its annual meeting each year, at the office of the State Department of Education at Montgomery, on the first Tuesday in October. At

this meeting the board shall select one of its members Vice-President. Other regular meetings shall be held on the first Tuesday of December, February, and May, and such special meetings may be held as the duties and business of the board may require. The rules generally adopted by deliberative bodies for their government shall be observed by the State board of education. No motion or resolution shall be declared adopted without the concurrence of the majority of the whole board.

Section 3. The members of the State board of education shall receive a per diem of ten (\$10) dollars for each day of actual service and for a total of not more than twenty-five (25) days in any fiscal year, and their actual traveling and other necessary expenses incurred in attending meetings and transacting the business of the board.

Section 4. The State board of education shall exercise, through the State superintendent of education and his professional assistants, general control and supervision over the public schools of the State, except the University, the Alabama Polytechnic Institute, and the Alabama Technical Institute and College for Women, and shall consult with and advise through their executive officer and his professional assistants, county boards of education, city and town boards of education, superintendents of schools, school trustees, attendance officers, principals, teachers, supervisors, and interested citizens, and shall seek in every way to direct and develop public sentiment in support of public education.

Section 5. The State board of education shall adopt rules and regulations for the sanitation of schools, for the physical examination of school children, and in conjunction with other State authorities, shall see to it that the rules relating to school health, compulsory education, and child conservation are enforced.

Section 6. The State board of education shall prescribe rules and regulations for the grading and standardizing of public schools.

Section 7. The State board of education, on the recommendation of the State superintendent of Education, shall prescribe the minimum contents of courses of study for all public elementary and high schools in the State. In every elementary school in the State there shall be taught at least reading, spelling, handwriting, arithmetic, oral and written English, geography, history of the United States and Alabama, community civics, agriculture, elementary science, hygiene and sanitation, physical training, and such other studies as may be prescribed by the State board of education. English shall be the only language employed and taught in the first six grades of the elementary schools in the State.

Section 8. The State board of education shall prescribe the text books to be used in the elementary schools of the State; and in all of the high schools of the State, except in cities of two thousand (2000) or more inhabitants, according to the last or any succeeding Federal census. For the selection of such books the State board of education, upon the recommendation of the State superintendent of education, shall appoint a text book committee, not to exceed seven (7) persons, composed of leading men or women engaged in public school work in the State.

Section 9. The State board of education, through its executive officer, shall prescribe rules and regulations, also the subjects and the standards of teachers' examinations, agreeable to the provisions of article sixteen of this Act, for the certification of teachers in the public schools of the State, and for the acceptance of the diplomas of the Normal schools, colleges and universities of Alabama, as well as of other states. No diploma shall be accepted from any normal school, college or university which does not meet minimum standards prescribed by the State board of education for teacher training courses.

Section 10. The State board of education shall prescribe rules and regulations for taking a biennial census in July 1920 and biennially thereafter, of all children from six (6) to twenty-one (21) years of age within the State, also all forms and blanks to be used in taking such census, and in compiling the reports thereon.

Section 11. The State board of education shall have the power to prescribe uniform series of forms and blanks for the use of county boards of education, the boards of education of cities, school officials and teachers, and shall require all financial accounts, including the annual school budget, and all educational records to be kept, and all reports to be made according to these forms and blanks; provided that such of the above forms and blanks as in the opinion of the State board of education may be necessary, shall be provided at the expense of the State.

Section 12. The State board of education shall require all persons conducting private, denominational and parochial schools, and all private educational associations, corporations, or institutions to report annually, on or before the 31st. day of August, as to enrollment, age of pupils and attendance, on such forms as the State board of education may provide. The State board of education shall require all private denominational and parochial schools of an elementary and high school grades to report monthly on forms provided by the State board of education, to the Superintendent of education of the county or to the superintendent of schools in cities of two thousand (2000) or more inhabitants, according to the last or any succeeding Federal census, according to the location of private schools in ques-

tion, giving the name of each pupil enrolled, the date of enrollment, the total days of attendance to date, and the number of days in attendance during the month for which the particular report is made.

Section 13. The State board of education shall conduct investigations relating to the educational needs of the State, and the means of improving educational conditions. It may employ additional expert assistance for such investigations if needed, and appoint such agents for special investigations.

Section 14. The State board of education is authorized, empowered, directed and required, along with the State superintendent of education, to co-operate with the Federal board for vocational education in the administration of the Smith-Hughes Vocational Education Act. The State of Alabama accepts the benefits of this Act, passed by the Senate and House of Representatives of the United States of America in Congress assembled, as provided in this Act, and the State Treasurer is hereby designated to have custody of any funds accruing to the State from the said foregoing act or from any amendments or supplements thereto.

Section 15. The State board of education is hereby authorized and empowered to accept for the State of Alabama any appropriation of money for the removal of illiteracy, the teaching of immigrants and for other educational purposes which may hereafter be made out of the Federal treasury by any acts of Congress, and shall be constituted the chief educational authority for the expenditure and administration of any such funds. Said board shall have authority to make rules and regulations for the expenditure of such funds, such expenditure to be in accordance with the terms of the acts of Congress making such appropriations. The Treasurer of the State is hereby designated as custodian for all funds received as apportionments under the provisions of such act or acts of Congress.

Section 16. The board of trustees of the State Normal Schools for whites, of the A. and M. College for negroes at Normal, of the State Normal School for colored students at Montgomery, of the nine District Agricultural Schools, of the Northeast Alabama Agricultural and Industrial Institute, the State High School Commission, the State Text Book Commission, the State board for Vocational Education, the Alabama Illiteracy Commission, as now respectively constituted by law, are hereby abolished, provided that the State board of education may appoint an advisory board of not more than five (5) persons from the locality in which any institution for negroes under the control of the State board of education is located, said advisory board to have such rights and duties as the State board of education may from time to time designate.

-II-Section 17. The State board of education shall have general supervision of the educational work of all charitable, penal, reformatory, and child caring institutions, maintained in whole or in part by the State, through its executive officer, who shall be a member of the governing board or boards which have charge of such.

Section 18. The board of education shall submit each year on or before the first day of December, or as early thereafter as practicable, to the governor, an annual report covering all operations of the State Department of Education, and the support, conditions, progress, and needs of education throughout the State. Such annual report shall be printed in sufficient quantities for general distribution throughout the State, and for the usual exchange courtesies between state educational authorities.

-Section 19. It shall be the duty of the State board of education to consider the educational needs of the State, and on and with the advice of the State superintendent of education, to recommend to the Governor, and to the Legislature such additional legislation or changes in the existing legislation as may be deemed desirable. Such recommendations may be in the form of prepared bills, and shall be laid before the governor and the Legislature.

Section 20. The State board of education shall have the power to adopt a seal for the authentication of its official acts.

Section 21. The State board of education by its presiding officer, or its committees by their chairman, the State superintendent of education, and any of its duly appointed agents, shall have authority to administer oaths, and to examine under oath in any part of the State, witnesses in any matter pertaining to schools, and to cause the examination to be reduced to writing. Any person, who, having been sworn by any of the above officers to tell the truth, should wilfully give false testimony, shall be guilty of perjury.

-Section 22. The State board of education is authorized to remove for incompetency, immorality, misconduct in office, or wilful neglect of duty, any school officer, appointed by it under the provisions of this Act, upon making known to him in writing the charge against him, and upon giving him an opportunity of being heard in person or by counsel in his own defense, upon not less than ten days' notice. In case of vacancy due to any cause, the State board of education shall fill the vacancy, unless otherwise provided, and until a successor shall qualify.

-Section 23. The State board of education shall perform such other duties as are assigned to it elsewhere in this Act, or may be assigned from time to time by the Legislature. In order to meet emergencies that may arise because of any defect in the language

on purpose of this Act, the State board of education is authorized to make such rules and regulations as will give full force and effect to any or all of its provisions, provided that such rules and regulations shall not be inconsistent with the powers and duties of the several boards of education as conferred in this Act.

Section 24. The State board of education shall have the authority to acquire, hold, lease, rent, sell and convey the title to real and personal property and to make such repairs and improvements in all property under its control as may be for the best interest of the school.

Section 25. The State board of education is specifically charged with the duty of equalizing public school facilities throughout the State, in so far as it may be practicable; and in order to make it possible to increase the length of school terms in rural districts, and to care for that and other worthy purposes for which no adequate appropriation has been made, including expenses and compensation of the members of the State board of education in the discharge of their official duties; the said State board of education is hereby empowered and directed to expend so much as it may deem proper of the amount set aside annually by legislative enactment as a revolving fund for the use of the State board of education, provided that at least eighty (80) per cent of the amount appropriated, if used, shall be expended for lengthening public school terms and otherwise bettering conditions in rural schools, and provided further that any unexpended balance at the end of any fiscal year shall be placed to the credit of the general educational fund.

Section 26. Such appropriations as may be made by the Legislature for public school purposes, shall, unless otherwise provided for, be paid out upon requisition of the State superintendent of education upon the State Auditor, who shall draw his warrant upon the State treasurer for the amount for which requisition is made.

ARTICLE 4. STATE SUPERINTENDENT OF EDUCATION.

Section 1. The State Department of Education is hereby created to be under the direction of the State board of education, as provided for by section two (2) of article two (2) of this Act. This department shall comprehend all officers and functions formerly included under the office of State superintendent of education, and such other divisions and branches as may be provided for by this Act, or by subsequent legislative enactment.

Section 2. As the chief executive officer of the State Department of education there shall be a State superintendent of education, who shall hold office for a term of four (4) years from the time of installation into office and until his successor is elected and qualified. The State superintendent of education

shall be a person of good moral character, of recognized ability as a school administrator, with academic and professional education equivalent to graduation from a standard university or college, and shall have had not less than five (5) years of experience in public school work. He shall receive such salary as may be fixed in accordance with law, payable in monthly installments on the last day of the month. Before entering upon the duties of the office he shall take the oath prescribed in the Constitution and shall execute a bond in a surety company authorized to do business in the State for such an amount as may be fixed by the State board of education.

Section 3. The State superintendent of education shall make the annual apportionment of school funds to the several counties of the State as provided in article nine of this Act.

Section 4. The State superintendent of education shall explain the true intent and meaning of the school laws, and of the rules and regulations of the State board of education. He shall decide, without expense to the parties concerned, all controversies and disputes involving the proper administration of the public school system. The State superintendent of education shall enforce all the provisions of this Act, and the rules and regulations of the State board of education. He is empowered and directed to file charges with the State board of education, or other controlling authority and shall recommend for removal or institute proceedings for the removal of any person elected or appointed under the provisions of this Act, unless otherwise provided, for immorality, misconduct in office, insubordination, incompetency, or wilful neglect of duty.

Section 5. The State superintendent of education shall execute the educational policy of the State board of education. He shall call and conduct conferences of county or city boards of education, county superintendents of education, city superintendents of schools, supervisors, attendance officers, principals, and teachers, on matters relating to the condition, needs and improvements of the schools. He shall prepare and publish the school laws of the State and the rules and regulations of the State board of education, and such other pamphlets as will stimulate public interest, promote the work of education, and foster in teachers professional insight and efficiency. He shall receive and examine all the reports required under the rules and regulations of the State board of education, and in person, or through his assistants, shall examine the expenditures, business methods, and accounts of county boards of education, and of board of education of cities and towns of two thousand (2000) or more inhabitants, according to the last or any succeeding Federal census, and advise them on the same.

Section 6. The State superintendent of education shall prepare, or cause to be prepared, and submit for approval to the State board of education rules and regulations for the hygienic, sanitary and protective construction of school buildings. He is empowered and directed to recommend for condemnation for school use by the State board of education all buildings used for school purposes that violate these rules and regulations.

Section 7. The State superintendent of education shall prepare, or cause to be prepared, and submit for approval and adoption by the State board of education, rules and regulations governing the certification of teachers and the holding of teachers' examinations, subject to the rules and regulations of the State board of education, and to the provisions of article sixteen of this Act. The State board of education shall certificate all teachers of the public schools of the State, including all teachers of elementary and high school grade.

Section 8. The State superintendent of education shall prepare, or cause to be prepared, and submit for approval and adoption by the State board of education courses of study showing the minimum contents for the different grades and kinds of elementary schools, high schools, and normal schools, and also minimum standards for college courses for the training of teachers.

Section 9. The State superintendent of education, acting under the rules and regulations of the State board of education, shall be responsible for the administration of the State Department of Education, and shall have general supervision of all the professional and clerical assistants of the department. He shall nominate to the State board of education all the professional and clerical assistants of the department, and shall recommend the salaries to be paid them, except as otherwise provided by law.

Section 10. The State Department of Education shall hereafter be provided with such clerical and professional assistants as may be necessary for the proper conduct of its affairs.

Section 11. The State superintendent of education shall prepare, or cause to be prepared and submit for approval and adoption by the State board of education, rules and regulations for the protection of the health, physical welfare and physical inspection of the school children of the State in co-operation with other authorized agencies.

Section 12. The State superintendent of education shall prepare, or cause to be prepared, and submit for approval and adoption by the State board of education, rules and regulations for grading and standardizing all public schools of an elementary and high school grade, also for limiting on the basis of equipment and number of teachers employed, the years and grades of instructions that may be offered in such schools, but such rules and regulations shall not be inconsistent with the provisions of this

Act or any other statute of this State. He shall also prepare, or cause to be prepared, and submit for approval and adoption by the State board of education, the minimum requirements for issuing all certificates and diplomas in such schools. Provided, however, no person within the school age shall be denied admission to any elementary public school of this State, but shall be admitted, and shall be permitted to take any advanced studies, which he is qualified to study and which the teacher is qualified to teach, notwithstanding anything heretofore prescribed, or that may hereafter be prescribed or enacted, in this Act.

Section 13. The State superintendent of education shall prepare, or cause to be prepared, the forms of contract that shall be executed between the boards of education and all regular employees.

Section 14. The State superintendent of education shall prepare, or cause to be prepared, and submit for approval and adoption by the State board of education, rules and regulations in agreement with the provisions of article twenty-four of this Act, setting forth the conditions which must be met and fulfilled in order that county high schools may receive the respective amounts of State aid provided in article twenty-four of this Act, subject to the rules and regulations of the State board of education. The State superintendent of education shall at least annually investigate the management, conduct and work of each high school receiving State aid, according to the provisions of article twenty-four of this Act. In case of violations of the rules and regulations of the State board of education, and the provisions of article twenty-four of this Act, the State superintendent of education shall recommend to the State board of education that the appropriations to such high schools be discontinued and the State board of education shall have the power to discontinue the appropriations to such high schools as provided in Article twenty-four of this Act. When application is made to the State board of education for the location of a county high school to receive State aid according to the provisions of article twenty-four of this Act, the State superintendent of education shall make the proper investigations, report his findings, and make recommendation to the State board of education as to the granting or denial of the petition.

Section 15. The State superintendent of education shall prepare, or cause to be prepared, and submit for approval and adoption by the State board of education rules and regulations for the taking of a biennial school census of all children in the State between six (6) and twenty-one (21) years of age, also the forms and blanks to be employed in taking such census, and in compiling the reports thereon. This school census shall be taken in July of the even numbered years, and the State superintendent

of education may cause the whole or any part of the school census of any county or of any city to be retaken at any time, if, in the judgment of the State board of education the whole or any part of the census has not been properly taken.

Section 16. The State superintendent of education shall prepare, or cause to be prepared and submit for approval and adoption by the State board of Education a uniform series of forms and blanks for the use of county boards of education, boards of education of cities, school officials and teachers, and it shall be his duty to see that all financial matters, and all educational records are so kept, and that all reports are made according to these forms and blanks. He shall also prepare, or cause to be prepared, and submit for approval and adoption by the State board of education, forms and blanks to be used in the annual report, and in the monthly reports of persons conducting private, denominational and parochial schools, and of private educational associations, corporations, or institutions.

Section 17. The State superintendent of education shall prepare, or cause to be prepared, and submit for approval and adoption by the State board of education rules and regulations for the enforcement of school attendance, as provided for in article fifteen of this Act.

Section 18. The State superintendent of education shall prepare, or cause to be prepared, and submit to the State board of education, plans and rules and regulations for the administration of the provisions of the Vocational Education Act as prescribed in article twenty-one (21) of this Act.

Section 19. The State superintendent of education shall prepare, or cause to be prepared, an annual report of the State board of education, and shall submit on the first day of December, or as early thereafter as practicable, the same to the board for its approval and adoption. He shall also prepare, or cause to be prepared, all other reports which are or may be required of this board.

Section 20. The State superintendent of education shall prepare and submit for approval by the State board of education such budget for each quadrennium, or for such other period as may be fixed by the State Budget Commission or other duly authorized body.

Section 21. The State superintendent of education shall prepare, or cause to be prepared, and submit for approval and adoption by the State board of education such legislative measures as are in his opinion needed for the further development and improvement of the free public schools of the State.

Section 22. The State Department of Education is hereby organized into the following divisions, the heads of which shall be members of the force of the Department of Education. The

State board of education may create other divisions from time to time, within the limits of its appropriations for maintenance. The functions and duties of the divisions hereby created shall include the following:

1. **EXECUTIVE AND BUSINESS MANAGEMENT:** In this division shall be the chief clerk of the Department of Education, who shall hold office at the pleasure of the board, and shall give bond for the faithful performance of his duties. He shall perform such duties as may be assigned to him from time to time by the State board of education, or the State superintendent of education.

2. **TEACHER, TRAINING, CERTIFICATION AND PLACEMENT.** This division, subject to the approval of the State superintendent of education, shall prescribe the rules and regulations for the certification of teachers, for the placement of teachers, and for the training of teachers in service, and in teacher training institutions, and for the work of extension. The working force of this division shall include a director of teacher training, a secretary, and such professional and clerical assistants as may be necessary to give full force and effect to the laws governing the certification, placement and training of teachers, as provided in this Act, and within the appropriations for such purpose.

3. **STATISTICS.** This division, subject to the approval of the State superintendent of education, shall have the power to prescribe the blanks, forms, registers, rules and regulations for making all statistical reports to county and state high school officers; it shall prescribe a uniform system of book keeping to be used by the State Department of Education and by all county and city boards of education; it shall attend to the gathering of all statistical data; it shall tabulate, interpret and edit the same, and shall supply the United States Commissioner of Education with any statistical information available. The statistical portions of the annual report shall be prepared by this division, as directed by the State board of education. Forms and blanks for use in compiling general school statistics shall conform as nearly as may be to the forms and blanks recommended by the United States Bureau of Education. This division shall attend to the editing and illustrating of all circulars, bulletins, and reports prepared by the different divisions of the State Department of Education and to their distribution, as approved and directed by the State board of education, or by the State superintendent of education.

4. **RURAL SCHOOLS.** This division, subject to the approval of the State superintendent of education, shall study the needs, costs, and means of improvement of the rural and small town schools of the State; assist in county re-organization sur-

veys and the establishment of consolidated schools; assist county boards of education and county superintendents in promoting local tax levies to provide ways and means for extending educational and social advantages to the rural sections and small towns of the State; assist county educational authorities in the re-organization and re-direction of rural and village schools, and perform such other duties as may be assigned by the State board of education, or by the State superintendent of education.

5. **ELEMENTARY SCHOOLS.** This division, subject to the approval of the State superintendent of education, shall study the administrative and instructional problems and needs of all schools of elementary grade, and shall assist in the preparation of school programs, manuals of the course of study, and such other helpful material as may be deemed necessary. For the proper co-ordination of the work the director of the teacher training, certification and placement division may be placed in charge of this division.

6. **SECONDARY EDUCATION.** This division, subject to the approval of the State superintendent of education, shall study the administration, curricula, problems and needs of the secondary schools of the State. For the proper co-ordination of the work the director of the teacher training, certification, and placement division may be placed in charge of this division. There shall be a specialist in secondary education, who shall visit the various secondary schools of the State to classify the schools according to standards maintained, to suggest means of improving the work of instruction and administration. This division shall approve for accreditation to the University, the Alabama Polytechnic Institute, and other institutions of higher learning, those schools meeting the proper standards. It shall study means for a closer articulation of both secondary schools and colleges on the one hand, and of secondary and elementary schools on the other hand.

7. **PHYSICAL EDUCATION.** This division, subject to the approval of the State superintendent of education, shall outline a course of physical training for the various schools of the State. It shall collect and disseminate useful data on the health of school children, and shall devise ways and means of co-ordinating the work of health education of the Department of Education, and of the county and city boards of education, with the work of the State board of health and with the health authorities in counties and cities.

8. **VOCATIONAL EDUCATION.** This division, subject to the approval of the State superintendent of education, shall study the vocational opportunities of the State in agriculture, home economics and trade and industry; assist in the establishment of vocational schools and courses and have the oversight and

direction of the vocational work in schools receiving State and Federal aid; prepare and publish bulletins relating to vocational work, study conditions, both within and without the State, with a view to better preparing young people for the vocations; have the supervision of the teacher training work in home economics, agriculture and trade and industry in the institutions approved for the training of teachers, under the Smith-Hughes law. At the head of this division shall be a director of vocational education.

9. **EXCEPTIONAL EDUCATION.** This division, subject to the approval of the State superintendent of education, shall have charge of the organized work of the State board of education for the removal of illiteracy in Alabama, and of the educational work in the special child caring institutions of the State.

10. **SCHOOL AND COMMUNITY BETTERMENT.** This division shall be charged with the direction of school improvement, parent-teacher, and community organization work throughout the State. It shall encourage and co-operate with such agencies in the State as may be designed to foster all activities for the betterment of school and community interests.

Section 23. In order that the State Department of Education may exert its largest influence, provision shall be made for three series of publications as follows: 1. A monthly circular of information containing such outlines and descriptions of the work of the State Department of Education and such general information, notices, and directions as the State superintendent of education shall direct. 2. A series of bulletins to be issued as frequently as need be, to contain collected information on some of the following subjects; the results of study made by different divisions of the State Department of education, school manuals, copies of the school law, and such other publications as may be authorized by the State board of education. 3. Annual reports as required under this Act.

Section 24. The State superintendent of education shall perform such other duties as are assigned to him elsewhere in this Act, or may be assigned to him from time to time by the State board of education, or by law.

ARTICLE 5. COUNTY BOARD OF EDUCATION.

Section 1. The general administration and supervision of the public schools and of the educational interests of each county, with the exception of cities of two thousand (2000) or more inhabitants, according to the last or any succeeding Federal census, shall be vested in the county board of education except as otherwise provided by law. The county board of education shall be composed of five members, who shall be elected by the quali-

fied electors of the county. They shall be persons of good moral character, with at least a fair elementary education, of good standing in their respective communities, and known for their honesty, business ability, public spirit and interest in the good of public education. In the event a vacancy occurs in the office of the county board of education, the vacancy shall be filled by appointment by a majority of the remaining members of the county board of education, and the appointee shall hold the next general election following the date of the appointment. In the event the vacancy is not filled by the remaining members of the county board within thirty days, the State superintendent of education shall fill such vacancy.

Section 2. At the general election of State and county officers in November 1920 and biennially thereafter, a member or members shall be elected for terms of six (6) years, to succeed the member or members whose term or terms of office expire at that time. The members of the county board of education shall hold office until their successors have been elected and qualified. Before exercising any authority or performing any duties as a member of the county board of education, each member thereof shall qualify by taking and subscribing to the oath of office prescribed by article sixteen (16) of the State Constitution, the certificate whereof shall be filed in the office of the judge of probate of the county.

Section 3. The county board of education shall hold an annual meeting each year on the last Friday in November. At this meeting the board shall elect each year one of its members to serve as President, and one to serve as Vice-President. Other regular meetings shall be held on the last Friday of February, May and September, and such special meetings may be held, and at such place as the duties and the business of the board may require. The rules generally adopted by deliberative bodies for their government shall be observed by the county board of education. No motion or resolution shall be declared adopted without the concurrence of the majority of the whole board.

Section 4. The members of the county board of education shall receive from the public school funds of the county five (\$5) dollars a day and their actual traveling and hotel expenses incurred in attending meetings of the board, and transacting the business of the board. The members of the county board shall not be allowed pay for more than twelve (12) days in any one year, and their expenses shall be paid in like manner as provided for the compensation of teachers. They shall not be required to hold teacher's certificates.

Section 5. The county board of education shall appoint, subject to the provisions of article six (6) of this Act, as its executive officer, a county superintendent of education, who shall also

be the secretary of the county board of education. As secretary he shall conduct all correspondence of the board, keep and preserve all of its records, receive all reports required by the board, and see that such reports are in proper form, complete and accurate. He shall have the right to advise on any question under consideration by the board, but shall have no vote. In case the office of the county superintendent of education is temporarily vacant, or when the county superintendent of education is absent by reason of the nature of business in hand, or otherwise, the board shall appoint one of its members to act for the time being as secretary.

Section 6. The county board of education shall select some suitable person to act as treasurer of the public school funds of the county. The county treasurer of school funds shall serve without pay. He shall receive and take charge of any money, fund, or proceeds of any character, which may accrue to the county for public school purposes. He shall pay out all such monies upon the written order of the county board of education through its executive officer, the county superintendent of education, and shall perform such other duties as may be prescribed by law.

Section 7. All the property, estate, effects, money, funds, claims, and donations now or hereafter vested by law in the public school authorities of any county for the benefit of the free public schools of any county, are hereby transferred and vested in the county board of education, and their successors in office. The county boards of education are authorized, empowered, directed and required to maintain a uniform and effective system of public schools throughout their respective counties. Real and personal estate granted, conveyed, devised, or bequeathed for the use of any particular county, school district, or public school, shall be held in trust by the county board of education for the benefit of any such county, school district, or school. The county board of education, subject to the provisions of this Act, shall determine with and on the advice of the county superintendent of education the educational policy of the county, and shall prescribe rules and regulations for the conduct and management of the schools. The authority vested in county boards of education shall not apply to cities of two thousand (2000) or more inhabitants according to the last or any succeeding Federal census.

Section 8. The county board of education shall exercise through its executive officer, the county superintendent of education, and his professional assistants, control and supervision of the public school system of the county, subject to the provisions of this Act. The board shall consult and advise, through its executive officer, and his professional assistants, with school trustees, principals, teachers, and interested citizens, and shall

seek in every way to promote the interest of the schools under their jurisdiction.

Section 9. The county board of education shall provide sanitary, hygienic, suitable and convenient water closets or outhouses for the children of the public schools under its jurisdiction, not less than two for each school or building when both sexes are in attendance, with separate means of access to each. It shall be the duty of said boards to make provisions for keeping the said water closets or outhouses in a clean, comfortable, sanitary and hygienic condition.

Section 10. The county board of education shall consolidate schools wherever in its judgment it is practicable, and arrange, if possible, for the transportation of pupils to and from such consolidated schools. But no schools shall be consolidated, by consolidating two or more separate schools located in separate school districts, without consent of said separate school district trustees.

Section 11. The county boards of education of two or more counties shall have power to provide jointly for the maintenance of schools in or near the dividing line of such counties, on the basis of the probable enrollment in such school from the counties represented.

Section 12. The county board of education shall appoint, upon the written recommendation of the county superintendent, all principals, teachers, clerical and professional assistants authorized by the board. The county board may suspend or dismiss for immorality, misconduct in office, insubordination, or incompetency or wilful neglect of duty, or whenever, in the opinion of the board, the best interests of the school require it, superintendents, principals, teachers, or any other employees or appointees of the board.

Section 13. The county board of education, subject to the provisions of this Act, shall prescribe, on the written recommendation of the county superintendent of education, courses of study for the schools under its jurisdiction, and a printed copy of these courses of study shall be supplied to every teacher and to every interested citizen of the county.

Section 14. The county board of education, subject to the provisions of this Act, shall, upon the written recommendation of the county superintendent of education, grade and standardize all the schools under its jurisdiction.

Section 15. The county board of education in order to expedite the payment of teacher's salaries and to make possible efficient supervision, shall fix a uniform date for each fiscal year for the opening of all schools in the county under its jurisdiction, and all schools, as far as in the opinion of the county board of education may be practicable, shall open on said date. If for any

reason the board shall permit any schools to open at a later date, the reports and records of such schools shall be made so as to conform to the scholastic months, counting from the uniform date hereinabove mentioned.


Section 16. The county board of education, subject to the rules and regulations of the State board of education, shall cause to be taken, under the direction of the county superintendent of education, a biennial school census of the children in the county between the ages of six (6) and twenty-one (21) inclusive, to be taken in July 1920, and every two years thereafter, and the county superintendent of education, upon the direction at any time of the State Superintendent of Education, shall cause the whole or any part of any school census in his county to be retaken.

Section 17. The county board of education, upon the recommendation of the county superintendent of education, shall appoint a sufficient number of enumerators to take the census of the county during the month of July. The county board of education, upon the recommendation of the county superintendent of education, shall fix the compensation of the enumerators taking such school census, and shall order them paid out of the county treasury. The report of the enumerators shall be made under oath to the county superintendent of education not later than the fifteenth day of August next succeeding the time of the taking of said census.

Section 18. The county board of education shall cause to be prepared and published annually, in the month of October, in sufficient quantities for distribution among the citizens of the county, an annual report covering the condition, current accomplishments, and needs for the improvement of the schools; also, a statement of the business and financial transactions of the board, which statement shall contain an itemized account of all receipts and expenditures of said board. Such statement must show the total amount of school funds received by the county and the sources from which derived; the amount expended for teachers salaries in each of the several school districts of the county and the amount paid out of the school funds for any other purpose than teachers salaries must be shown and shall include the name of the person to whom paid, the amount of each of such items and the purpose for which said amounts were expended.

Section 19. The county board of education shall provide schools of two kinds, those for white children and those for colored children. The schools for white children shall be free to all white children over six (6) years of age. The schools for colored children shall be free to all colored children over six (6) years of age. A reasonable incidental fee to be fixed by the

county board of education by request of the board of school trustees, may be collected in any school, but such incidental fee shall not operate to exclude from school any pupil between the ages of eight (8) and sixteen (16) years during the compulsory attendance period.

Section 20. The public schools of the county shall include elementary schools, that is, grades one to six, inclusive; junior high schools, that is, grades seven to nine, inclusive; and senior high schools, that is, grades ten to twelve, inclusive. 

Section 21. The county board of education shall, upon the recommendation of the county superintendent of education, arrange the county into one or more appropriate and convenient compulsory school attendance districts; shall keep full and complete records of the boundaries thereof; and shall see to it that the compulsory attendance law is enforced.

Section 22. The county board of education, upon the recommendation of the county superintendent of education, subject to the provisions of this act, shall prescribe the conditions on which pupils in the elementary schools, limited to the first six grades of elementary instruction, may be admitted to junior high schools; and also the conditions upon which pupils in junior high schools may be admitted to senior high schools.

Section 23. The county board of education, subject to the provisions of this act, shall prescribe, upon the recommendation of the county superintendent of education, forms and blanks on which school trustees, supervisors, attendance officers, principals, teachers, janitors and other regular employees shall make such reports as shall be required from them by the county board of education.

Section 24. The county board of education shall have authority, upon the recommendation of the county superintendent of education, to borrow money on the credit of the school fund of the county to meet salaries of teachers and current expenses when the current funds on hand are not sufficient to meet the same, to be secured by a pledge of the current revenues of the year. All such current loans, except such as are based on county and district local tax proceeds, shall be paid within the school year in which such current loans are made, and from the funds accruing for the support of the schools within such given school year. The amount so borrowed shall at no time exceed one-third of the sum estimated for current expenses, as shown by the school budget for that year.

Section 25. The county board of education shall make all the reports required to the State board of education, at such time, upon such items, and in such form and on such blanks as may be prescribed by the State board of education.

Section 26. The county board of education shall have the right to acquire, purchase by the institution of condemnation proceedings if necessary, lease, receive, hold, transmit and convey the title to real and personal property for school purposes, except where otherwise provided. It shall have the power to sue and contract, all contracts to be made after resolutions have been adopted by the board and spread upon its minutes. All processes shall be executed by service on the executive officer of the board.

Section 27. The county board of education shall appoint for every school in the county discreet, competent and reliable person or persons of mature years, not exceeding three in number, residing near the school-house, and having the respect and confidence of the community, to serve as trustees or trustees of the school, to care for the property, to look after the general interests of the school, and to make to the county board of education, through the county superintendent of education from time to time reports of the progress and needs of the schools, and of the will of the people in regard to the school.

Section 28. The county board of education is charged with the duty of seeing that every school building whose title is vested in the State, county or school district is insured for its insurable value, and to this end may use a part of the proceeds of incidental fees, district tax levies, or such other funds as may be specifically set apart for such purpose by the county board of education.

Section 29. The county board of education shall perform such other duties as are assigned to it elsewhere in this act, or may be assigned to it from time to time in accordance with law.

ARTICLE 6. COUNTY SUPERINTENDENT OF EDUCATION.

Section 1. There shall be a county superintendent of education in each county in this State who shall act as the chief executive officer of the county board of education. The county board of education of each county shall appoint during the month of May a superintendent of schools for a term of from two to five years from the first day of July next succeeding his appointment. No person except a present incumbent shall be appointed to the office of county superintendent of education after the passage of this act who is not a graduate of a standard normal school, or who has not completed courses in other institutions that, in the opinion of the State board of education, are equivalent to such education or who does not hold a 1st. grade or life certificate, and in addition thereto has had at least three years of successful teaching experience. Before assuming any of the duties of the office the county superintendent of education must take the oath of office prescribed by the Constitution, and give bond in an

amount to be fixed by the State board of education in a reputable surety company authorized to do business in Alabama, conditioned upon the faithful performance of the duties of his office, and upon the accounting and paying over to the proper authority of all monies coming into his hands. Such bond must be filed and recorded in the office of the Judge of Probate of the county, and a certified copy of the bond must also be filed in the office of the State board of education for its approval.

Section 2. The county superintendent of education shall devote his entire time to public school business, and shall receive such compensation as the county board of education shall direct. No county superintendent of education, appointed to office under the provisions of this chapter, shall be paid an annual salary of less than fifteen hundred (\$1500) dollars, and the county board of education may remove the county superintendent of education for immorality, misconduct in office, incompetency, or wilful neglect of duty, or when, in the opinion of the county board, the best interests of the schools require it.

Section 3. The county superintendent of education as the executive officer of the county board of education, shall see that the laws relating to the schools, the rules and regulations of the State and county boards of education are carried into effect. The county superintendent of education shall have authority to administer oaths, and to examine witnesses, under oath in any part of the county on any matter pertaining to the public schools of the county, and to cause the examination to be reduced to writing. Any person, who having been sworn or affirmed by him to tell the truth, and who wilfully gives false testimony, shall be guilty of perjury.

Section 4. The county superintendent of education, subject to the provisions of this Act, shall recommend for approval and adoption by the county board of education, the kind, grade and location of schools to be established and maintained, and the compulsory school attendance districts to be established.

Section 5. The county superintendent of education, subject to the provisions of this Act, shall recommend for approval and adoption by the county board of education, educational policies to promote the educational interests of the county, and rules and regulations for the conduct of the schools.

Section 6. The county superintendent of education as executive officer of the county board of education, shall call and conduct conferences with principals, teachers, attendance officers, school trustees, and other interested citizens, and shall in every way seek to foster in teachers professional insight and efficiency, and to develop public interest in education.

Section 7. The county superintendent of education, subject to the provisions of this Act, shall recommend a building pro-

gram adequate to the present and future needs of the schools in the county. He shall recommend a plan for the laying out of such local district or districts as will best serve the interests of the entire county, and shall submit the same for approval and adoption by the county board of education.

Section 8. The county superintendent of education shall recommend to the county board of education for condemnation school buildings, which are insanitary and unfit for use. He shall recommend in writing all repairs, purchase of playgrounds, school sites and buildings to be erected with State, county and local aid, and shall see to it that the plans and specifications, and the rules and regulations of the State board of Education, with reference to the erection, repair, and equipment of the school buildings, are carefully followed. He shall approve in writing all contracts of whatever kind entered into by the county board of education.

Section 9. The county superintendent of education, subject to the provisions of this Act, shall prepare and submit for approval and adoption by the county board of education, rules and regulations governing the conditions under which children may be admitted to junior and senior high schools of the county.

Section 10. The county superintendent of education, subject to the provisions of this Act, shall work out plans for the consolidation of schools, and for the grounds, buildings, and equipment of such consolidated schools, and submit the same for approval and adoption by the county board of education.

Section 11. The county superintendent of education, subject to the provisions of this Act, shall prescribe courses of study for the schools of the county and submit the same for approval and adoption by the county board of education. Printed copies of these courses of study shall be supplied to every teacher and interested citizen of the county.

Section 12. The county superintendent of education, subject to the provisions of this Act, shall prepare rules and regulations for grading and standardizing all public schools of the county, and shall submit same for approval and adoption by the county board of education. He shall grade and standardize all public schools of the county, and shall recommend the same for the approval of the county board of education.

Section 13. The county superintendent of education shall be the representative of the State superintendent of education in all state examinations for teachers' certificates, conducted within the county, and shall perform such duties in connection therewith as may be required by the State board of education.

Section 14. The county superintendent of education shall nominate in writing for appointment by the county board of education, all principals teachers, and all other regular employees

of the board. He shall assign them to their positions, transfer them as the needs of the schools require, recommend them for promotion, suspend them for cause, and recommend them for dismissal.

Section 15. The county superintendent of education, subject to the provisions of this Act, shall organize and attend county and local institutes for teachers and citizens, and shall organize and direct the reading circle work of the county, advise teachers as to their further study in professional reading, and assist parents and citizens to acquire a knowledge of the aims and work of the school.

Section 16. The county superintendent of education shall visit the schools, observe the management and instruction, and give suggestions for the improvement of the same. He shall advise with principals, teachers, school trustees, and other interested citizens, and shall endeavor in every way to promote public interests, and improve the school conditions of the county.

Section 17. The county superintendent of education, subject to the provisions of this Act, shall prepare forms and blanks on which school trustees, supervisors, attendance officers, principals, teachers, janitors, and other regular employees shall make such reports as shall be required by the county board of education, and shall submit the same for approval and adoption by the county board of education.

Section 18. The county superintendent of education, subject to the provisions of this Act, shall prepare an annual school budget for the schools of the county, and shall submit the same for approval and adoption by the county board of education. He shall in every way seek to secure funds for the support and development of the schools of the county.

Section 19. The county superintendent of education, subject to the provisions of this Act, shall direct the taking of the county biennial school census, in keeping with Section 16 of Article 5 of this chapter. He shall cause the census to be retaken in whole or in part when directed to do so by the State superintendent of education. The county superintendent shall require the enumerators to make their report to him not later than August the fifteenth following the date of taking the census, and on or before September the first following, the county superintendent of education shall make his consolidated report to the State board of education. This consolidated report shall include the census data reported to him by the superintendents of schools of cities of two thousand (2000) or more inhabitants according to the last or any succeeding Federal census.

Section 20. The county superintendent of education, subject to the provisions of this Act, shall see to it that the laws requiring school attendance are enforced. The county superintendent

of education shall prepare, or cause to be prepared, and submit to the county board of education for adoption, all reports required of the county board of education by the State board of education, and the State superintendent of education, and he shall prepare, or cause to be prepared, and submit to the county board of education the annual report as required under this chapter. The county board of education may in its discretion provide upon the nomination of the county superintendent of education, at least the following assistants: an elementary school supervisor and a statistical and stenographic clerk. No person shall be eligible for appointment as such supervisor who does not hold a certificate of graduation from a State Normal School or the equivalent thereof. The county board of education may employ additional clerical and professional assistants, including health supervisors, and may reimburse them for all actual traveling expenses necessary in the performance of their official duties. The county board of revenue or court of county commissioners, shall provide the county superintendent of education and his professional and clerical assistants with ample convenient and comfortable office quarters. The county board of revenue or court of county commissioners shall also provide necessary furniture, office equipment, stationery postage, forms and supplies required by the county superintendent of education and his assistant.

Section 21. The county superintendent of education shall, on or before the first day of November of each year forward to the State superintendent of education on blanks to be furnished him by the latter, an annual report of the public schools of his county for the preceding year. In the event any county superintendent shall fail to make and forward to the State superintendent of education any report required under this article within ten days after the time it should be made, he shall be liable to the forfeiture of his office, said forfeiture to be declared by the State board of education. The books, accounts, and vouchers of the county superintendent of education may be examined at any time by the State superintendent of education in person or by his duly authorized agent.

Section 21½. The county superintendent of education shall publish annually in the county newspaper at the county seat of each county a full and complete itemized statement of the receipts and disbursements of the county at the same time he forwards same to the State superintendent of education.

Section 22. The county superintendent of education at the end of each scholastic month following the date fixed for the opening of the schools in the county, according to Section fifteen, Article five of this Act, shall prepare his pay roll covering the amounts due such teachers, and other employees of the county board of education as are not employed by the calendar month.

He shall in addition, not later than the fifth day of each calendar month make a pay roll covering one-sixth of the available school funds apportioned by the county board of education to cities of two thousand (2000) or more inhabitants, according to the last or any succeeding Federal census until the full amount apportioned to said cities shall have been paid; also the amounts due to the employees of the county board of education employed by the calendar month, and all bills and other items authorized by the county board of education. The county superintendent of education, not later than ten days before the close of each scholastic month, shall file with the county treasurer of school funds, a certificate showing the amount estimated to be required to meet the pay rolls authorized above. No teacher shall be entitled to receive payment for services unless all the current records of the school have been kept with care and accuracy, and no teacher or other employee of the board shall be entitled to receive payment for services unless all records required by the county board of education have been properly made and submitted.

ARTICLE 7. THE BOARD OF SCHOOL TRUSTEES.

Section 1. There shall be a Board of school trustees for each elementary public school to be composed of the school trustees appointed in accordance with section 27 of article 5 of this Act.

Section 2. The Board of school trustees shall hold an annual meeting each year on the first Saturday in June, or as soon thereafter as practicable. At this meeting the board shall appoint one of its members as chairman and shall give notice of such appointment to the county board of education. Other regular meetings shall be held at least twice during the scholastic year, and such special meetings shall be held as the duties and business of the board shall require. The principal teacher of the school shall be the secretary of the board of school trustees and shall attend all meetings of the board except when the board is in executive session. The principal teacher shall, with the consent of the majority of the members of the board, have the right to speak upon all questions, but shall have no right to vote, shall prepare for adoption all reports required by the county board of education, shall keep all records of accounts of incidental funds, shall keep the minutes of the meetings of the board in the record book provided by the county board of education, and shall conduct the correspondence of the board of school trustees.

Section 3. The board of school trustees shall have the power by unanimous vote to refuse to accept the original assignment of any teacher not later than thirty (30) days before the time set for the opening of the school upon written notification to the county superintendent of education setting out the reason for such refusal, and it is hereby made the duty of the county super-

intendant of education to nominate another teacher for such school. No teacher shall have the power to dismiss pupils during school hours, or close the school during school hours unless in case of emergency without the consent of the board of school trustees or the county superintendent of education.

Section 5. The board of school trustees shall have the power with the approval of the county board of education to fix a reasonable incidental fee to be paid by each pupil entering the school.

Section 6. The board of school trustees with the approval of the principal shall have the power to recommend the appointment of a janitor for the school under its jurisdiction.

Section 7. The board of school trustees shall visit the schools under their jurisdiction at least once each month and consult with the teachers and principals of the school as to the progress of the pupils, conditions and cleanliness of the school and the grounds belonging to same and give such aid as in their power for the advancement of said school.

Section 8. The board of school trustees shall have the care of the building and grounds, the school apparatus and other school property. They shall attend to all incidental repairs and pay for the same out of the incidental funds collected in accordance with this article, provided that when repairs are to be paid for out of other than incidental funds the amount to be expended shall be approved by the county superintendent of education and authorized by the county board of education before the repairs are made.

Section 9. The board of school trustees shall seek in every way to develop sentiment in the support of the schools and in case of dissatisfaction they may file with the county board of education written charges requesting the removal of the principal or any other teacher in said school.

Section 10. The board of school trustees shall see that the water closets or outhouses connected with the school are kept clean, comfortable, and in a sanitary and hygienic condition.

Section 11. The board of school trustees shall have the power to authorize the use of the schoolhouse for such civic, social, recreational and community gatherings as in their opinion do not interfere with the principal use of the said school building or property. It shall be the duty of the person or persons making application for the use of the schoolhouse for a public meeting place to see that the said schoolhouse after said meeting is in as clean a condition as it was before said meeting, and in case of failure upon the part of said person or persons to whom permission has been granted to hold the meetings to place said school after said meeting in as clean a condition as it was when

said schoolhouse was turned over to said person or persons for said meeting, or the failure of the person or persons to respond in damages to any injury to the property, the ordinary wear and tear excepted, the board of school trustees may refuse all further applications for the use of said schoolhouse by the same parties.

ARTICLE 8. CITY BOARD OF EDUCATION.

Section 1. A city within the meaning of this act shall include all incorporated municipalities of two thousand (2000) or more inhabitants, according to the last or any succeeding Federal census: Provided that any town in the State having a population of one thousand (1000) and less than two thousand (2000) inhabitants, according to the last or any succeeding Federal census, shall have the power through its council or other governing body to select by a majority vote of its entire membership and in accordance with the plans set out in Section two (2) of this article, a board of education of five members to exercise the government and control of the schools in such towns in the same manner as is provided in this article for cities of two thousand (2000) or more inhabitants according to the last or any succeeding Federal census: provided further, that until such time as the town council or other governing body shall elect a board of education in accordance with the provisions of this section, said town shall remain under the control of the county board of education.

Section 2. The general administration and supervision of the public schools and educational interests of each city shall be vested in a city board of education, to be composed of five members, who shall be residents of such city, and who shall not be members of the city council or commission. The members of such city board of education who shall serve without compensation, shall be chosen solely because of their character and fitness, but no person shall be appointed or elected to this board under the provisions of this section who is in any way subject to the authority of the board. Annually at the regular meetings of the city council or commission in April the said council or commission shall elect a member or members of the board of education to succeed those whose term or terms of office expire that year. It is contemplated that the terms of office shall be five years and that the term of one member shall expire annually. Until such a time as this can be brought about by the retirement of members now on the board of education, the city council or city commission shall designate the length of term for which any member is to serve. Annually thereafter at the first regular meeting in April, the city council or commission shall elect a member whose term of office shall be five (5) years, to succeed the member of the city board of education whose term expires that year. In

the event of a vacancy in the membership of the city board of education by resignation or otherwise, the fact shall be reported to the city council or commission by the said board, and the said council or commission shall elect a person to fill such vacancy for the unexpired term.

Section 3. The office of the city board of education shall be in the principal school building of the respective city, unless otherwise adequately provided for. The city board of education shall provide the city superintendent of schools, his professional and clerical assistants with ample, convenient and comfortable office quarters and with adequate clerical supplies and equipment.

Section 4. The city board of education shall hold its annual meeting each year at its first regular meeting in May following the election of said board or any member thereof. At this meeting the board shall elect each year one of its members to serve as president and one to serve as vice-president. The rules generally adopted by deliberative bodies for their government shall be observed by city boards of education. No motion or resolution shall be declared adopted without the concurrence of the majority of the whole board. The board shall also hold such other meetings as may be provided for in its by-laws.

Section 5. The city board of education may appoint as its executive officer a superintendent of schools, who may also be secretary of the board of education. The superintendent of schools shall conduct all correspondence of the board, keep and preserve all of its records, receive all reports required by the board, and see that such reports are in proper form, complete and accurate. He shall attend all meetings of the board and of its committees, he shall have the right to advise on any motion under consideration, but shall have no vote. In case the secretary is absent, the board shall appoint some one to act for the time being. The city treasurer shall be custodian of the school funds of the city. He shall receive and hold all monies to which the board of education is entitled by law, or which may come into its possession. He shall pay out all such monies on the written order of the superintendent of schools, and shall keep such records and accounts of its funds as shall be required.

Section 6. The city board of education is hereby vested with all the powers necessary or proper for the administration and management of the free public schools within such city subject to the provisions of this Act.

Section 7. The city board of education, subject to the provisions of this Act, shall cause to be taken under the direction of the city superintendent of schools a biennial school census of the school children in the city between the ages of six (6) and twenty-one (21) years. Such census shall be taken during the

month of July 1920, and every two years thereafter, and the superintendent of schools, upon the direction at any time of the State superintendent of education, shall cause the whole or any part of the school census in the city to be retaken. The city superintendent of schools shall employ, with the approval of the city board of education, a sufficient number of enumerators to take the census during the month of July. The city board of education, upon the recommendation of the city superintendent of schools, shall fix the compensation of the enumerators employed in taking such school census, and shall order the said paid out of the city treasury. The report of the enumerators shall be made under oath to the city superintendent of schools not later than the 10th. day of August next succeeding the time of the taking of such census, and the data gathered shall be in turn transmitted by the city superintendent of schools to the county superintendent of education not later than the 15th. of August thereafter.

Section 8. All property real and personal and mixed now held or hereafter acquired for school purposes shall be held in trust by the city board of education for the use of the public schools of the city.

Section 9. The city board of education, subject to the provisions of this Act, shall have the full and exclusive rights within the revenue appropriated for such purposes, or accruing to the use of the public schools, to purchase real estate, furniture, appropriate libraries, fuel and supplies for the use of the schools, and to sell the same, and to make expenditures for the maintenance and repairs of the school grounds, buildings and other property, to establish and build new schools, to superintend the erection thereof, to purchase sites therefor, to make additions, alterations and repairs to the building and other property erected for school uses, and to make necessary and proper notes, contracts and agreements in relation to such matters. All such contracts shall inure to the benefit of the public schools, and any suit in law or equity brought upon them and for the recovery and protection of money and property belonging to and used by the public schools, or for damages, shall be brought by and in the name of the city.

Section 10. The city board of education, subject to the provisions of this Act, shall have power to establish and maintain a system of public schools, including kindergartens, and playgrounds in which children from five (5) to twenty-one (21) years of age, bona fide residents of and living within the corporate limits of such city shall be entitled to admission. City and county boards of education shall have authority to reach agreements whereby children in the city may attend the schools in the county, and whereby the children in the county may attend

the schools in the city, and they shall do so when the school in the city or in the county, as the case may be, is nearer to such pupils. Other non-resident pupils may be admitted on such terms as the board of education of the city may prescribe.

Section 11. The city board of education shall upon the recommendation of the city superintendent of schools, employ such professional, clerical, accounting and statistical assistants as, in the judgment of the board, are necessary.

Section 12. The city board of education shall fix the salaries of all employees and may suspend or dismiss any principal or teacher or supervisor or attendance officer or other regular employee so appointed on the written recommendation of the city superintendent of schools, for immorality, misconduct in office, incompetency, or wilful neglect of duty, or when, in the opinion of the board, the best interests of the schools may require.

Section 13. The city board of education shall exercise, through its executive officer, the city superintendent of schools, and his professional assistants, control and supervision over the public schools of the city. The board shall consult and advise, with its executive officer and his professional assistants, principals, teachers, and interested citizens, and shall seek in every way to promote the interests of the schools under its jurisdiction.

Section 14. The city board of education shall determine, on the recommendation of the city superintendent of schools, and subject to the provisions of this Act, the educational policy of the city, and shall prescribe rules and regulations for the conduct and management of the schools, and shall maintain separate schools for white and colored children. When lands shall be required for the site of a schoolhouse or for enlarging a schoolhouse lot, or for playgrounds, or other public school purposes, and the board of education for any reason shall be unable to contract with the owner or owners thereof upon what they deem to be a fair valuation, the board of education may institute condemnation proceedings, but no lot so taken or enlarged shall exceed in the whole ten (10) acres, including the land occupied by the school building.

Section 15. If, for any reason, the current income of the city board of education is inadequate to provide ample, appropriate and suitable grounds, buildings and equipment for all the needed schools of the city, the city board of education, on the recommendation of the city superintendent of schools shall petition the city council or commission to call an election for the issuance of bonds on the credit of the city in an amount sufficient to provide ample, appropriate and suitable grounds, buildings and equipment for all the needed schools of the city, subject to the limitations set out in the Constitution of the State,

and the city council or commission shall call the election at the time requested in said petition.

Section 16. The city board of education, subject to the provisions of this Act, shall grade and standardize all of the schools under its jurisdiction, and shall also prescribe courses of study. Printed copies of the courses of study shall be supplied to every teacher and to every interested citizen in said city.

Section 17. The city board of education, subject to the provisions of this Act, shall prescribe on the recommendation of the city superintendent of schools, forms and blanks on which the superintendent, teachers, supervisors, attendance officers, janitors and other employees shall make such reports as may be required from them.

Section 18. The city board of education is authorized, empowered and directed to maintain and operate uniform, equal and efficient schools and shall annually prepare on or before the first day of July a school budget which shall show the amounts needed during the succeeding school year. This annual school budget shall also show the estimated amounts that will be received from the State, from the county, and from any local tax levy for schools, the estimated amount of aid that will be received by reason of the Vocational Education Act or other sources, together with the amount needed to supplement the receipts from said sources, and sufficient to meet the needs of the schools. It shall be the duty of the city council or commission to make such an appropriation as will care for the deficit from the treasury of the city, if at all practicable to do so.

Section 19. If for any reason the current funds on hand are not sufficient to meet the current expense of the city board of education, it may, on the recommendation of the city superintendent of schools, borrow money to meet salaries of teachers and current expenses, provided that the amount so borrowed shall at no time exceed one-third of the sum estimated for current expenses, as shown by the school budget for that year, and the sum so borrowed shall be secured by a pledge of the current school revenues of the year.

Section 20. The city board of education shall make all reports required by the State board of education at such time, and upon such items and in such form, and on such blanks as may be prescribed by the State board of education. The business and financial transactions of the city board of education, and the records and accounts of its treasurer shall be audited as early as possible after July the first of each year, and may be published.

Section 21. The city board of education shall have the right to establish and maintain, or aid in establishing and maintaining public libraries, either separately or in connection with the pub-

lic schools, and also special schools for backward, defective, truant or incorrigible children; and day or night schools for adult illiterates and for the Americanization of foreigners.

Section 22. The city board of education shall cause to be prepared and published annually, not later than the month of October, in sufficient quantities for distribution among the interested citizens of the city, an annual report showing the condition, current accomplishments and needs for the improvement of the schools; also a statement of the business transactions of the board, and the amount expended and for what purpose. Such statement must show the total amount of school funds received by the city and the sources from which derived. The amount expended for teachers salaries in each school and the amount paid out of the school funds for any other purpose than teachers salaries must be shown and shall include the name of the person to whom paid, the amount of each of such items and the purpose for which said amounts were expended.

Section 23. The provisions of this act shall not apply to the cities in counties now having by law a city and county school system operated under a single board of education, nor to the method of electing the members of the board of education in any city where the members of the board hold office for life. Where by any provisions of law, any certain or definite percentage of the revenue of any city or town from licenses, or taxes either or both is required to be used for the maintenance of its public schools, then such provisions shall be unaffected by this Act, and shall be and remain in full force and effect.

Section 24. The city board of education shall maintain free schools for all children over six years of age, but a reasonable incidental fee to be fixed by the city board of education may be collected. Such incidental fee shall not operate to exclude from school any pupil between the ages of eight (8) and sixteen (16) years during the compulsory attendance period.

Section 25. The city board of education shall perform such other duties as are assigned to it elsewhere in this Act, or may be assigned to it from time to time in accordance with law.

ARTICLE 9. CITY SUPERINTENDENT OF SCHOOLS.

Section 1. The Board of Education may appoint a city superintendent of schools for a term of not more than five years. The city superintendent shall receive such compensation as the Board of Education shall direct. The city board of education may remove the city superintendent of schools for incompetency, immorality, misconduct in office, wilful neglect of duty, or when, in the opinion of the board, the best interests of the schools require it.

Section 2. The city superintendent of schools shall be the chief executive officer of the city board of education, and shall see that the laws relating to the schools, and the rules and regulations of the city board of education are carried into effect.

Section 3. The city superintendent of schools shall explain the true intent and meaning of the school laws, and of the rules and regulations of the city board of education, and of the State board of education subject to the provisions of this Act. He shall decide, without expense to the parties concerned, all controversies and disputes involving the rules and regulations of the city board of education, and the proper administration of the public schools. He shall have authority to administer oaths and to examine under oath witnesses in any matter pertaining to the public schools of the city, and to cause the examinations to be reduced to writing. Any person who having been sworn or affirmed by him to tell the truth, and who wilfully gives false testimony shall be guilty of perjury, and shall be punished accordingly.

Section 4. The city superintendent of schools, subject to the provisions of this Act, shall recommend for approval and adoption by the city board of education, the kind, grade, and location of schools to be established and maintained.

Section 5. The city superintendent of schools, subject to the provisions of this Act, shall recommend for approval and adoption by the city board of education policies adapted to promote the educational interests of the city, and rules and regulations for the conduct of the schools.

Section 6. The city superintendent of schools shall nominate all employees of the board and all persons so nominated for teaching or supervising positions shall hold certificates issued by the State board of education.

Section 7. The city superintendent of schools, subject to the regulations from time to time of the city board of education and in accordance with the provisions of this Act, shall outline a building program adequate to meet the needs of the schools in the city, and shall submit the same for approval and adoption by the city board of education.

Section 8. The city superintendent of schools shall recommend to the city board of education for condemnation school buildings which are insanitary and unfit for use. He shall recommend all repairs, purchase of playgrounds, school grounds, school sites and buildings, or the sale of the same, and shall prepare, or cause to be prepared, all plans and specifications for the remodeling of old buildings, and the construction of new buildings. He shall recommend in his discretion to the board of education an architect or architects to assist in the preparation of plans and specifications for remodeling old buildings, for the construction

of new buildings, and shall supervise such remodeling and construction. He shall approve in writing all contracts of whatever kind entered into by the city board of education.

Section 9. The city superintendent of schools, subject to the provisions of this Act, shall prepare rules and regulations for grading and standardizing the public schools, and shall recommend the same for approval by the city board of education.

Section 10. The city superintendent of schools, subject to the provisions of this Act, shall prepare courses of study for the schools of the city, and shall submit the same for approval and adoption by the city board of education. Printed copies of the courses of study shall be supplied every teacher and every interested citizen of the city or town. The city superintendent of schools shall nominate in writing for appointment by the city board of education, all principals, teachers, supervisors, attendance officers, janitors, and all other regular employees of the board, and shall assign to them their positions, transfer them as the needs of the schools require, recommend them for promotion, suspend them for cause, and recommend them for dismissal.

Section 11. The city superintendent of schools, subject to the provisions of this Act, shall organize institutes for teachers and for citizens. He shall organize and direct the reading circle work, advise teachers as to further study and professional reading, and assist parents and teachers in acquiring knowledge of the aims and work of the schools.

Section 12. The city superintendent of schools shall visit the schools, observe the management and instruction, and give suggestions for the improvement of the same. He shall advise with principals and teachers, and shall endeavor in every way to promote public interest and improve educational conditions.

Section 13. The city superintendent of schools, subject to the provisions of this Act, shall prepare forms and blanks upon which principals, teachers, supervisors, attendance officers, janitors, and other regular employees shall make such reports as shall be required, and shall submit the same for approval to the city board of education.

Section 14. The city superintendent of schools, subject to the provisions of this Act, shall prepare the annual school budget provided for in Article eight of this Act, and shall submit the same for approval and adoption by the city board of education. He shall in every way seek to secure adequate funds for the support and development of the schools.

Section 15. The city superintendent of schools shall direct the taking of the biennial census provided for in Article eight of this Act. He shall cause the census to be retaken in whole or in part when directed to do so by the State superintendent of

education. The city superintendent of schools shall require the enumerators to make their report to him not later than August 10th. following the date of taking the census, and on or before the 15th. day of August following, the city superintendent of schools shall make his report of such census to the county superintendent of education. He shall retain a duplicate of the same for the files in his own office.

Section 16. The city superintendent of schools shall recommend the employment of one or more attendance officers, subject to the provisions of this Act, and the rules of the city board of education, and shall see to it that the provisions for school attendance set out in Article fifteen of this Act are enforced.

Section 17. The city superintendent of schools shall prepare, or cause to be prepared, and submit to the city board of education for adoption, all reports required by the State board of education, and he shall prepare, or cause to be prepared, and submit to the city board of education a school report as provided in Article eight of this Act.

Section 18. The city superintendent of schools, acting under the rules and regulations of the city board of education, shall be responsible for the administration of the office of superintendent of schools, and he shall see that all regular appointees of the city board of education devote their entire time to their duties.

Section 19. The city superintendent of schools shall perform such other duties as are assigned to him elsewhere in this chapter or may be assigned to him in accordance with law.

ARTICLE 10. APPORTIONMENT AND DISBURSEMENT OF PUBLIC SCHOOL FUNDS.

Section 1. On the first day of October of each year, or as soon thereafter as practicable, the State Auditor shall certify to the State superintendent of education the amount of money which has accrued and been placed by him to the credit of the educational fund for the scholastic year commencing on that day, stating specifically the amount derived from each source, and any unexpended balance there may be from the appropriation of the previous year to be carried forward; and the amount so certified shall be apportioned by the State superintendent of education, and be drawn and disbursed as provided by law.

Section 2. As soon as such certificate is received by the State superintendent of education he shall set apart such sums as are provided by law, and he shall then apportion the remainder of such funds, as far as practicable, among the several counties in the State, in proportion to the number of school children of school age therein, according to the latest returns of enumera-

tion of school population of the counties which have been made to his office, but if such enumerations have not been made as provided by law, or have not been reported to him by the county superintendent of education, and the State superintendent of education, has not caused a new enumeration to be made, he shall then apportion to each county, according to the best information he can obtain of the entire number of children of school age in such counties, but in no event shall he, in case of such failure to enumerate or report all the children of school age in the respective counties, estimate the school population of any county at more than the last official report to his office.

Section 3. As soon as such amounts have been set apart, and such apportionment has been made, the State superintendent of education shall certify to the State auditor the amount set apart for each particular purpose or appropriation, and the total amount of the apportionment to the several counties, and the State auditor shall see that no warrants are drawn against the educational fund, for any purpose, for any amount in excess of the amounts so certified as set apart and apportioned; and he shall certify to the State treasurer the amount of the school revenue, exclusive of poll tax, unapportioned by the State superintendent of education, and the State treasurer shall set apart the amount out of any money received from the taxes of the current year, and he shall keep the same separate and apart from all other revenues, and shall not pay out any of such money except upon warrants for school purposes.

Section 4. As soon as practicable after the State superintendent of education has apportioned to the several counties the amount of school funds in proportion to the number of school children of school age therein, he shall certify and report the amount to the respective county boards of education, taking their receipts for such amounts so certified.

Section 5. In making apportionment of school money to the school counties, the State superintendent of education shall first set apart to the schools of each township the amount due from the State thereto as interest on its sixteenth section fund, or other trust fund held by the State, and all townships having an income from such source, or from the lease or sale of sixteenth section lands, shall not receive anything out of the balance of the educational fund to be apportioned, until the schools of all other townships having no trust fund, shall have received from the general fund such amount as will give them an equal per capita apportionment with the schools of the township having such income.

Section 6. As soon as practicable, after the State superintendent of education has apportioned the school funds to the several counties, and has certified the same to the county superin-

tendents of education, the county boards of education shall apportion the funds awarded to their county to the several schools and to cities of two thousand (2,000) or more inhabitants, according to the last or any succeeding federal census, in their counties so as to provide, as nearly as practicable, school terms of equal duration exclusive of any local funds provided by the school district.

Section 7. The county board of education must keep a record of each and every apportionment and disbursement of school funds of their counties to the several schools and to cities of two thousand (2000) or more inhabitants, according to the last or any succeeding Federal census.

Section 8. Each county shall receive as school money all the poll tax collected therein; and the same shall be its full distributive share of the aggregate poll tax collected in this State.

Section 9. The State superintendent of education shall, by the tenth day of October in each year, or as soon thereafter as practicable, apportion to every county the amount of school money such county will be entitled to receive for the scholastic year from all sources except such special taxes, if any, as may have been levied for school purposes in any county; and he shall certify the same to the State auditor.

Section 10. All local school monies raised for the support of public schools by taxation or otherwise, shall be apportioned and expended in the district or districts or counties in which the same were raised, under such rules and regulations as the county or city board of education, as the case may be, may prescribe, but this section shall not be construed to repeal any provision for the apportionment and disbursement of monies mentioned in this chapter or provided for in special or local laws, and all funds contributed by persons or otherwise to any school or school district shall be applied as indicated in the grant from such contributors.

Section 11. Whenever a township which has an income from a trust fund is divided by a State or county line or otherwise, such income must be divided between and apportioned to each division of such township according to the school population.

Section 12. The annual appropriation as a contingent fund for the State Department of Education shall be used for such purposes as in the opinion of the State superintendent of education the needs of the office and the best interests of the schools of the State may require. Whenever it shall become necessary to draw on such fund, the State superintendent of education shall make requisition on the State auditor for the amount required, who shall issue his warrants on the State treasurer for such amount.

ARTICLE 11. ONE MILL COUNTY SCHOOL TAX.

Section 1. Upon a petition signed by two hundred or more qualified electors of the county who are also free holders, to the court of county commissioner, or court of like jurisdiction in any county within the State of Alabama, the said court shall order an election to determine whether or not a special tax of one mill shall be levied for the support of the public schools within said county as hereinafter provided, but only one such election shall be held in any calendar year.

Section 2. There shall be made publication of the same in some newspaper within the county, which publication shall show the rate of such proposed tax, the time it is proposed to be continued and the purpose for which the levy is proposed to be made.

Section 3. The inspectors and officers of the election shall be appointed and such elections shall be held and the result of said elections shall be declared in the same manner and by the same officers as is the result of the regular elections for county officers under the general laws of the State.

Section 4. All persons who are at the time of such election qualified electors in the county where such election is held under the laws and Constitution of Alabama then in existence, shall be qualified electors to participate therein.

Section 5. The court of county commissioners, or court of like jurisdiction, shall provide a sufficient number of ballots for each voting precinct within said county, and at the top of each ballot shall be printed the rate of such proposed tax, the time it is to be continued, and that the purpose is for the support of the public schools, and directly underneath in plain type shall be printed on different lines the words. "For proposed taxation." "Against proposed taxation." and a place must be left directly to the left of each line thereof, and the voters favoring the proposed taxation will make a cross mark directly to the left of the line. "For proposed taxation," and the voter not favoring proposed taxation will make a cross mark directly to the left of the line "Against proposed taxation."

Section 6. If three-fifths of those voting at said election have voted for the proposed taxation, the court of county commissioners, or court of like jurisdiction, shall levy said special tax, and cause the tax assessor to assess the same on the taxable property in said county, which shall not exceed ten cents on each one hundred dollars of taxable property in said county; but the rate of such special tax shall not increase the rate of taxation, State and county combined, in any one year, to more than one dollar and twenty-five cents on each one hundred dollars of taxable property in said county, but all special county taxes

for public buildings, roads, bridges, and the payment of debts existing at the ratification of the Constitution of 1875 shall not be included in the aforesaid one dollar and twenty-five cents on the hundred dollars of taxable property.

Section 7. The tax collector shall collect such special tax in the same manner and under the same requirements and laws as taxes of the State are collected, and shall keep said amount separate and apart from all other funds, and keep a clear and distinct account thereof, and turn the same over to the county treasurer of school funds whose duty it shall be to receipt therefor the county board of education shall apportion the same to the various schools throughout the county in the same manner as the general school funds from the State are apportioned in said county; provided, that the school terms of the respective schools shall be extended by such supplement as nearly the same length of time as practicable.

Section 8. The election hereinbefore provided for may be had at the time of holding any regular election within the county, and if held at such time the inspectors and officers of the general election shall conduct at the same time the election herein provided for; and for such services they shall receive no compensation other than that allowed them for the holding of the general election; but if such an election is had at any other time than that of holding a regular election within the county, then the election, officers shall receive the same pay as that for holding a general election.

ARTICLE 12. THREE MILL COUNTY AND DISTRICT SCHOOL TAX.

Section 1. Upon a petition signed by two hundred or more qualified electors of any county to the court of county commissioners or other governing body, said court of county commissioners or other governing body shall order an election to be held at the time specified in said petition to determine whether or not a special tax shall be levied for public school purposes within said county, and upon request of the county board of education to the court of county commissioners or other governing body, said court shall order an election to be held at the time requested by the said board of education to determine whether or not a special tax shall be levied for public school purposes within any school district in the county under the control of such board; and upon the request of any city board of education to the court of county commissioners or other governing body said court shall order an election to be held at the time requested by said board of education to determine whether or not a special tax shall be levied for public school purposes within said city; provided that no election

in any rural or city school district shall be held for the purpose of levying and collecting a special school tax for school purposes unless the county in which said rural or city district is located shall be levying and collecting special county taxes for school purposes of not less than thirty (30) cents on each one hundred (\$100) dollars worth of taxable property in such county. The sheriff must give notice at least thirty (30) days before any election to be held under this Act, by publication in some newspaper in the county, if any is published therein, and if not, by writing posted at the courthouse door, and at three other public places in the county of the time of holding, and when any election is to be held for a special tax for school purposes in any rural or city school district, written notices shall be posted in three public places within said district thirty (30) days prior to said election. Said publications, both for special county and district elections for school purposes, shall show the rate of such proposed tax, the time it is proposed to be continued, the purpose for which the levy is proposed to be made, and a description of the boundaries of the proposed district.

Section 2. The inspectors and officers of the special county election shall be appointed, and said election shall be held and the results of such election shall be declared in the same manner and by the same officers as the results of the regular election for county officers, under the general election laws of the State, provided that the election may be held at the time for holding any regular election in the county, and if held at such time the inspectors and officers of the general election shall conduct at the same time the election herein provided for and for such services they shall receive no compensation other than that allowed them for the holding of the general election and if the election is held at some other time than that of holding the regular election in the county then the election officers shall receive the same pay as that for holding the general election.

Section 3. Upon the written request of the county board of education or of the board of education of any city of two thousand (2000) or more inhabitants as the case may be according to the last or any succeeding Federal Census for a special election in any school district under the control of the respective board, the Court of County Commissioners or other governing body shall call an election at the time and for the rural or city districts as requested by the respective board of education and shall appoint three (3) managers and one returning officer for each voting place in the school district or at such special voting places as may be designated for the special election by the judge of probate of the county who is hereby empowered and directed to locate such voting places, upon the recommendation of the county board of education and such special voting places shall be set out

in the notices of the special election. The managers and returning officers, provided for above, shall conduct and make return of such election in the rural or city school district, and in the event such election officers fail to appear at the polling place to which they are appointed, the officer or officers who do appear shall appoint some one to take their places, provided that all election officers shall be residents of the special tax district, and qualified electors of the beat or precinct in which they reside, and it shall be the duty of the sheriff to notify all officers of their appointment by the court of county commissioners or other governing body. The managers of such election shall open the polls at eight o'clock A. M. and close the same at five o'clock P. M. on the date of election, and immediately upon closing the polls shall ascertain the results of the election at their respective voting place, and make returns of the same to the court of county commissioners or other governing body of the county and deliver the ballot box containing the returns, with the polling lists, tally sheets and other necessary papers, to the returning officers of such voting places, who shall deliver the same to the court of county commissioners or other governing body on or before noon of the second day of the said election. The Court of County Commissioners or other governing body shall, within four days after said election canvass the returns so made, and under oath make a written report declaring the result of said election in said school district, showing the number of votes cast, both for and against the proposed taxation. A copy of such report shall be printed in some newspaper published in the county, and the original shall be filed in the office of the probate judge, except as otherwise provided herein said election shall be held under the general laws of the State. The officers, including the sheriff, shall perform the same duties, and receive the same pay as provided for under the general election laws aforesaid, and all costs and fees of said election shall be paid out of the county treasury.

Section 4. In order to make it possible to work out a system of local tax units adapted to the needs of the whole county, the county board of education of its own initiative shall fix the boundaries of any school district within its jurisdiction in which it is proposed to levy a local school tax. In making application for a special election in any such district, as provided in section 3 of this article, the county board of education shall submit a map made by the county surveyor, or other competent person, showing the boundaries of the school district for which a special tax levy is proposed, indicating the section or sections and ranges, together with the correct description of the boundaries of the said district for which a special tax levy is proposed. These maps shall also show the location of public utilities, such as power plants, railroad and telegraph lines, if any, in such

districts, and the railroad mileage for each and every corporation having property therein. The county superintendent shall include a full and correct description of such boundaries in the minutes of the county board of education, and shall also furnish a full and correct description of such boundaries, including a map, to the probate judge, who shall record the same in a book to be kept by him for that purpose, also to the State Department of Education and to the State Board of Equalization, or other board exercising corresponding powers, including as many copies of such map as there are public utilities, located or operating in such special tax district; provided, that the tax levy in any district already voted is hereby confirmed, and it is made the duty of the county board of education to have a proper map of such district made and recorded as herein provided; provided further, that the levy of the district school tax shall operate to fix the boundaries of such district for the time of such special levy, except as hereinafter provided. Provided, further, that any city of two thousand (2000) or more inhabitants, according to the last or any succeeding Federal census shall constitute an independent school district for the purpose of levying the tax authorized under this article, but it shall not be necessary for the city board of education when making application or request for a special election under the provisions of this article to submit the map or the description of boundaries; provided further, that any tax levy already voted in any city of two thousand (2000) or more inhabitants according to the last or any succeeding Federal census, and any election heretofore called in any such city in making application or request for which such map or description of boundaries were not submitted, are hereby confirmed.

Section 5. When it shall seem desirable to enlarge any special tax district by consolidating with it any adjacent territory or district, which may or may not be levying any special school tax, the county board of education may petition the court of county commissioners or other governing body to call an election in all of the districts concerned, including the special tax district proposed to be enlarged, to determine whether a special tax for a uniform rate and time shall be voted in each and every one of the districts, provided that the proposed rate and time shall not be less than the maximum rate in any district or the maximum time in any district. Thereupon the said board of county commissioners or other governing body shall call an election in like manner as already prescribed in section 3 of this article in the special districts proposed to be consolidated, and if a majority of the qualified electors in each and all of the districts proposed to be consolidated shall vote favorably the districts shall be consolidated into a new district, and the tax as voted shall be levied and collected in the new district as a unit,

but the creation of a new district shall not operate to relieve the county board of education of responsibility and liability for the just obligations of each and all of the districts so consolidated, and made prior to such consolidation; provided further, that in the event a majority of the qualified voters in any of the districts proposed to be consolidated shall vote against the proposed consolidation, then said consolidation shall not be made and each district shall remain as before, and with the same taxing privileges.

Section 6. When any election is to be held in any county or in any rural or city school district, under the provisions of this Article the court of county commissioners or other governing body, shall provide the necessary number of ballots, polling-lists, tally-sheets, ballot boxes, booths, instructions for holding the election, and all other necessary and proper stationery for holding said election; and the sheriff shall see that the same are delivered to the managers before the day of the election. The ballots used in said election shall have printed at the top the rate of such proposed tax, the time it is proposed to be continued, and that it is to be used for public school purposes, and directly underneath in plain type shall be printed on different lines the words, "For Proposed Taxation," "Against Proposed Taxation", and a blank must be left directly to the left of each line thereof, and the voter favoring the proposed taxation will make a cross-mark directly to the left of the line "For Proposed Taxation" and the voter not in favor of the proposed taxation will make a cross-mark directly to the left of the line "Against Proposed Taxation", and if it appears as the result of such election that a majority of those voting in said election have voted for such taxation, the court of county commissioners or other governing body, shall levy said special tax and cause the tax assessor to assess the same on the taxable property in said county, or in said rural or city school district, as the case may be, which shall not exceed thirty (30) cents on each one hundred (100) dollars worth of taxable property in said county or in said rural or city school district, as the case may be; provided that any special tax levied under the provisions of this Article shall not be for a shorter term than two (2) years. And in all elections hereafter held if the specific purposes for which said tax, when levied shall be used is printed on the ballots to be used in said election, it shall be unlawful for the county board of education to apply it to any other purpose.

Section 7. In any county which has levied or is levying a special county tax for school purposes, the county board of education, in order to erect, repair, enlarge or equip school buildings, or to make other improvements in the school facilities of the county, or to raise money for any of such purposes, is hereby

authorized and empowered to issue and sell school warrants bearing interest at a rate not to exceed six percent (6%) per annum for an amount, including interest, not exceeding the income from said tax levy, estimating such income upon the basis of the assessed value of the taxable property in such county for the preceding tax year, as the annual return for such levy for the period for which such warrants are issued; and the board of education of any county or of any city of two thousand (2000) or more inhabitants according to the last or any succeeding Federal census, in order to erect, repair, enlarge or equip school buildings or to make improvements in the school facilities of any school district under its control in which a district school tax has been or is being levied, or to raise money for any of such purposes, is hereby authorized and empowered to issue school warrants bearing interest at a rate not to exceed six percent (6%) per annum for an amount, including interest, not to exceed the income from such tax levy, estimating such income upon the basis of the assessed value of the taxable property in such city or school district for the preceding tax year, as the annual return from such levy for the period for which such warrants are issued. The due date of said school warrants shall not extend beyond the 30th. day of September next after the time when the tax for the last year of said levy shall become delinquent. All warrants shall be signed in the name of such board, by its president and shall be a preferred claim upon the proceeds of said tax levy in such county or school district, as the case may be, each year during the period for which such warrants are issued to the extent of the warrants maturing during such year, and such board shall at the beginning of each tax year, by resolution entered upon its minutes, set apart so much of the tax income for that year as will be necessary to meet all warrants maturing during that year; provided, that nothing herein contained shall prevent the said board from paying any of such warrants for which the income from said tax levy, ascertained as herein provided may be insufficient to pay. Provided further, that the board of education of any city of two thousand (2000) or more inhabitants, according to the last or any succeeding Federal census, constituting an independent school district, is hereby authorized to pay the principal and interest, one or both, or any part thereof, of bonds hereafter issued by any such city to acquire sites for, and to erect, repair, enlarge or equip school buildings, or to make improvements in the school facilities of any such city.

Section 8. Whenever such a levy as is provided for in this Article is made it shall be the duty of the tax collector within and for that county to collect such a tax in the same manner and under the same requirements and laws as the taxes of the State

are collected, and he shall keep said amount separate and apart from all other funds, and keep a clear and distinct account thereof, showing what amount is paid, and turn the same over to the county treasurer of school funds, whose duty it shall be to receipt therefor, and pay out the same on monthly pay rolls, with the authority and approval of the county board of education upon uniform blanks prescribed by the State superintendent of education; provided that the funds arising from levying the special tax for school purposes in any school district shall be used for the exclusive benefit of the public schools of such district, and in the case of cities of two thousand (2000) or more inhabitants, according to the last or any succeeding Federal census, the city tax collector, unless otherwise provided by law, shall collect and pay over the same to the treasurer of said city to be used for the exclusive benefit thereof, in accordance with the law, provided that in the event an incorporated town located in a special school tax district comprising said town and territory contiguous thereto should attain a population of two thousand (2000) or more as evidenced by a Federal census, then the government and control of the schools of said city shall be under the city board of education, and the government and control of the schools in the contiguous territory outside of the city shall continue under the county board of education; provided, that the tax collected in the city shall be paid over to the city treasurer as provided by law for the exclusive use of the schools of said city and the tax collected in the contiguous territory shall be paid over to the county treasurer of school funds for the benefit of the schools in such contiguous territory; and provided that, in the event the special school tax proceeds have been pledged for the retirement of interest bearing warrants, issued in accordance with section seven of this article, so much of the tax collected in the original special school tax district as may be required for the retirement of such outstanding warrants, including the interest thereon, shall be paid over to the proper officer to be used for the retirement of such outstanding warrants.

Section 9. All persons who are at the time of such election qualified electors in the county where such an election is held, or in the beat or precinct comprising such rural or city school district where such election is held under the laws and Constitution of Alabama then in existence, shall be qualified electors to participate therein.

ARTICLE 13. LOCAL TAX BONUS FUND.

Section 1. The State superintendent of education shall certify to the State auditor on the first day of October of each year the several counties of the State that are levying and collecting

for that year a special tax for school purposes aggregating one, two, or three mills respectively, and the State auditor, upon the request of the State superintendent of education, shall draw his warrant for one thousand (\$1000) dollars upon the State treasurer, in favor of the county treasurer of School funds of any county levying and collecting a special tax for school purposes of one mill and less than two mills; for two thousand (\$2000) dollars, in favor of any county that may be levying and collecting for that year special county school taxes aggregating two mills and less than three mills; and for three thousand (\$3000) dollars for any county in the State that may be levying and collecting for that year special county school taxes aggregating not less than three mills. Each county shall receive the warrant representing the highest of the above amounts to which it is entitled, and no other.

Section 2. The funds so set apart for any county shall be paid out of the special legislative appropriation for that purpose and shall be expended by the county board of education as in the opinion of said county board will best promote the cause of education in said county.

ARTICLE 14. THE COUNTY TREASURER OF SCHOOL FUNDS.

Section 1. The county treasurer of school funds shall be selected by the county board of education for a term of four years. He shall receive and take charge of all funds or proceeds of any character which may accrue to the county for public school purposes, and shall pay out all such monies upon the written order of the county superintendent of education.

Section 2. On the receipt of the certificate of the county superintendent of education setting out the amounts required to meet the pay rolls authorized under section twenty-two (22) of Article six (6) of this Act, the county treasurer of school funds shall make requisition on the State Auditor for the amount certified by the county superintendent of education to be necessary to make such pay rolls, after deducting from the amount so certified the balance in his hands for such purposes. This requisition shall be mailed to the State superintendent of education for approval and transmission to the State auditor.

Section 3. The County treasurer of school funds shall pay promptly upon receipt all pay rolls filed by the county superintendent of education.

Section 4. The County treasurer of school funds shall give a surety bond in twice the probable sum of public school money which he may have on hand at any one time, the amount of such bond to be fixed and approved by the State board of education.

Section 5. The county treasurer of school funds shall keep proper vouchers for all monies paid out under the terms of this Act and shall make such reports as may be called for by the State and county boards of education.

Section 6. The county treasurer of school funds may be removed by the county board of education when, in the opinion of the said county board, the best interests of the schools may require.

ARTICLE 15. SCHOOL ATTENDANCE.

Section 1. Every parent, guardian or other person in the State of Alabama having control or charge of any child or children between the ages of eight (8) and sixteen (16) years shall be required to send such child or children to a public school or to a private, denominational or parochial school, taught by a competent instructor, and such child or children shall attend school for the entire length of the school term in every scholastic year, provided that the county or city board of education, as the case may be, shall have power to reduce the period of compulsory attendance to not less than one hundred (100) days for any individual school, unless the school term for any school is less than one hundred (100) days, in which event the period of compulsory attendance shall be for the entire school term. The period of compulsory attendance shall commence at the beginning of the school, unless otherwise ordered by the county or city board of education, as the case may be, with the approval of the State board of education.

Section 2. Any child or children fourteen (14) years of age and upward, who have completed the elementary course of study or the equivalent thereof, or who are legally and regularly employed under the provisions of the Child Labor Law, shall be exempt from the provisions of this Article, and in case there be no public school within two and one-half miles by the nearest traveled road of any person between the ages of eight (8) and sixteen (16) years, he or she shall not be subject to the provisions of this article, unless public transportation within reasonable walking distance is provided.

Section 3. Any child or children who are physically or mentally incapacitated for the work of the school are exempt from this article, but the school authorities shall have the right, and they are hereby authorized, when exemptions under the provisions of this article are claimed by any parent, guardian or other person having control of any child or children, to require from a practicing physician a properly attested certificate, that such child or children should not be required to attend school for some physical or mental condition which renders attendance impracticable or inexpedient.

Section 4. That in any case where the court before which any prosecution is brought for violation of the provisions of this article shall, after inquiry find as a fact that the parent, guardian or other person having control of the child or children is unable to provide necessary books and clothes in order that the child or children may attend school in compliance with law, such parent, guardian, or other person having the control of the child or children shall be discharged, and such child or children shall be turned over to the juvenile court, or to the State Child Welfare Department to be dealt with as a dependent child.

Section 5. The county board of education shall arrange the county exclusive of cities into one or more attendance districts, and said board shall appoint an attendance officer for every district created, who shall reside in the district and who shall hold his office at the will of the county board of education, and the board of education of each city of two thousand (2000) or more inhabitants, according to the last or any succeeding Federal census, shall appoint one or more attendance officers to serve at the pleasure of the appointing board, provided that this article shall be so interpreted as to make it possible for city and county boards of education, boards of revenue and courts of county commissioners to jointly employ any person or persons to carry out the provisions of this article and such additional duties as may be assigned them by such boards or governing bodies, in connection with the juvenile court of the county or the State Child Welfare Department.

Section 6. At the beginning of the annual period of compulsory attendance, the county superintendent of education or the city superintendent of schools, as the case may be, shall supply to each principal teacher in each school a list of all children between the ages of eight and sixteen years, who shall attend such school. At the end of the fifth day of the opening of the school, the principal teacher shall report to the county superintendent of education, who in turn shall report to the attendance officer of the attendance district, the names and addresses of all persons between the ages of eight (8) and sixteen (16) years, who have not enrolled in said schools, and thereafter throughout the compulsory attendance period, the principal teacher of each school shall report at least weekly the names and addresses of all pupils between the ages of eight (8) and sixteen (16) years, who are absent and whose absence is not satisfactorily explained by the parent, guardian or other person having control of the child.

Section 7. It shall be the duty of the attendance officer to investigate all cases of non-enrollment and non-attendance reported to him in accordance with Section 6 of this article. In all cases investigated where no valid reason for non-enrollment

or non-attendance is found, it shall be the duty of the attendance officer to give written notice to the parent, guardian or other person having control of the child, and in the event of the absence of the parent, guardian or other person having control of the child, from his or her usual place of residence, the attendance officer shall leave a copy of the notice with some person over twelve years of age residing at the usual place of residence, with instructions to hand such notice to such parent, guardian or other person having control of such child, which notice shall require the attendance of said child at the school within three days from date of said notice.

Section 8. If within three (3) days from date of service of the notice the parent, guardian, or other person having the control of the child does not comply with the provisions of this article, then the attendance officer shall make complaint in the name of the State of Alabama, against such parent, guardian, or other person having control of such child in a court of competent jurisdiction, which court shall hear and try all complaints, impose fines, enforce their collection by imprisonment if necessary, and fully execute the provisions of this article.

Section 9. It shall be unlawful for any parent, guardian, or other person having control of a child to fail to send such child to school as required by the provisions of this article, and any parent, guardian, or other person violating the provisions of this article, shall be guilty of a misdemeanor, and shall be fined in a sum of not less than five (\$5) dollars, nor more than fifty (\$50.) dollars, and may be committed to the county jail for a term of not to exceed thirty (30) days. All fines collected shall be paid into the county or city treasury, as the case may be, and it is hereby made the duty of all city attorneys in their respective cities, and of all county and circuit solicitors for the respective counties and districts to prosecute all complaints filed and actions brought under this article.

Section 10. All school officers, including those in private, denominational and parochial schools in this State, offering instruction to pupils within the compulsory attendance ages, are hereby required to make and furnish all reports that may be required by the State superintendent of education, and by the county superintendent of education, or by the board of education of any city with reference to the workings of this article. Every teacher employed in the schools giving instruction to pupils within the compulsory attendance ages, shall after October 1, 1920, hold a teacher's certificate issued by the State Department of Education. Every teacher in a public school is hereby required before receiving each month's salary, to make a report to the county superintendent of education or to the city superintendent of schools as the case may be, showing the names and

addresses of all pupils who have been truant or otherwise irregular in attendance during the previous month, and stating the reason for such truancy or irregular attendance. All such information shall in turn be brought to the notice of the attendance officer by the county superintendent or by the city superintendent of schools, as the case may be, and the same shall be investigated by the said officer.

Section 11. In case any pupil has become habitually truant or because of irregular attendance or misconduct has become a menace to the best interests of the school which he is attending or should attend, then it shall be the duty of the attendance officer to report such fact and condition to the parent, guardian, or other person having control of such child, who shall be held liable under the provisions of this article for the regular attendance and good conduct of such child, unless such parent, guardian or other person having control of such child shall state in writing to the attendance officer that he or she is unable to control such child, whereupon said attendance officer shall proceed against such incorrigible pupil as a disorderly person before a court of competent jurisdiction, and said child upon conviction may be sentenced, if a white boy, to the Alabama Boy's Industrial School; or if a white girl, to the State Training School for Girls; if a negro boy, to the Alabama Reform School for Juvenile Negro Law-Breakers; or if a negro girl, to such custodial institution in the State as the judge may designate and for such time as the court may decide; provided, that the maintenance of such child in the institution shall be paid as the law provides for the maintenance of such as are committed to the aforesaid institutions, and in all cases where a child is so committed, it shall be placed in charge of some suitable person designated by the court and conveyed under his direction to the designated institution, and the actual necessary expenses thereby incurred shall be paid by the board of county commissioners or the county board of revenue; provided, that a woman shall always be sent to accompany girls to be committed.

Section 12. The attendance officer whose appointment is by this article provided for, shall keep an accurate record of all notices served, all cases prosecuted, and all other services performed, and shall make an annual report of the same to the county board of education or to the city board of education by whom he is employed. The attendance officers who are employed by the county or city board of education shall be paid by the respective boards of education such salaries as may be required to secure efficient service. Said attendance officer shall be paid as other employees of the county or city boards of education are paid, but no attendance officer shall receive any compensation under the provisions of this act until he shall have filed

such reports as are required by the State board of education, and by the board of education of the county or city employing him.

Section 13. In order that the provisions of this article may be more definitely enforced, the county superintendent of education or the city superintendent of schools, as the case may be, shall, not later than ten days before the compulsory attendance term is to begin, furnish to each principal teacher of every school under his jurisdiction a list of all the children between the ages of eight (8) and sixteen (16) years, who should attend the school or schools under the charge of the said principal teacher, giving the name, date of birth, age, sex, race, the name and address of parents, guardian, or other person in parental relationship; provided that in the case of pupils living in cities, the street and house number shall be given and in the case of all other pupils the estimated distance from the schoolhouse by the nearest traveled road shall be given.

Section 14. The information required under Section 13 shall be prepared by the county superintendent of education with the assistance of the attendance officers, for the even numbered years, from the census booklets on file in his office. In the odd numbered years, the lists shall be prepared by the county superintendent of education with the assistance of the attendance officers, by correcting and supplementing the lists prepared and furnished the preceding year. To this end the county superintendent of education shall make use of the information contained in teachers' registers, and such additional information as he may require from school trustees. In the case of the city superintendents of schools the list shall be prepared for the even numbered years from the duplicate census booklets in his possession. In the odd numbered years he shall prepare it, making use of the information contained in teachers' registers' and such additional information as he may require from the attendance officers.

Section 15. In all public schools conducted under this act, twenty days, with five days each week, shall constitute a school month, and a school day shall be not less than six hours of actual teaching, exclusive of all recess or intermission periods, unless otherwise ordered by the county or city board of education concerned.

ARTICLE 16. CERTIFICATION OF TEACHERS.

Section 1. No person shall be employed as county superintendent of education, city superintendent of schools, assistant superintendent, supervisor, principal or teacher unless such a person shall hold a certificate issued by the State Department of Education, but this section shall not operate to disqualify present incumbents except as otherwise provided.

Section 2. All examinations for teachers' certificates shall be on uniform questions prepared and sent out by the State superintendent of education, either in person or through his assistants. All examination papers shall be forwarded to, read, and corrected by the State superintendent of education, either in person or by his assistants. The county superintendent of education shall render such assistance in holding examinations as may be required by the State superintendent of education. All details connected with the issuance of teachers' certificates, the renewal or extension of the same, and the conditions under which the diplomas issued by institutions of higher learning of the State of Alabama or operating under charter granted by it and of other states will be recognized, not provided for in this article, shall be determined, subject to the rules and regulations of the State board of education, by the State superintendent of education. He shall issue a bulletin containing full information of the time and place, the number and kinds of examinations, and rules and regulations controlling examinations and the issuance of certificates on credentials or diplomas.

Section 3. The certificates hereafter to be granted shall be those now prescribed by law, and such professional and special certificates as the State board of education may authorize and prescribe; provided that the issuance of third grade certificates may be discontinued whenever the best interests of the schools may seem to require it.

Section 4. Nothing in this article shall be so construed as to invalidate any certificate now in force for the life of such certificate.

Section 5. The State board of education, on recommendation of the State superintendent of education, shall prescribe rules and regulations for the validation of certificates issued in other states, for the extension and renewal of teachers' certificates, and for the certification of graduates of institutions in other states, and upon the same basis as to graduates of institutions in Alabama, provided that the standards maintained in such institutions do not fall below those required in Alabama.

Section 6. The State superintendent of education in cases of emergency may issue provisional certificates of the different kinds and grades, and a provisional certificate shall be valid for a period not to exceed one year, and such provisional certificate may not be renewed.

Section 7. The State board of education, upon the recommendation of the State superintendent of education, may issue life certificates to the holders of certificates herein described, and to the holders of certificates in force at the time of the adoption of this Act.

Section 8. The State superintendent of education shall keep a full and complete record of the academic preparation, professional training, and teaching experience of each applicant to whom a certificate is issued. He shall keep a complete record of the credentials, certificates or diplomas upon which certificates may have been issued, validated or renewed, and shall keep on file for at least six (6) months the written examination papers. He shall keep a complete record and file of all certificates issued and of certificates in force. He shall make known to the county superintendents of education or other interested parties, the names of all teachers who are unemployed, but who are seeking positions. For making effective this service, he shall organize a placement bureau within the division of teacher training, placement and certification, and each teacher enrolled in said placement bureau shall pay a fee not to exceed one dollar. He shall certify this into the State treasury at least monthly along with other fees for the certification of teachers.

Section 9. The third Mondays in April, July and December are appointed for the examination of teachers. The examination may be continued from time to time for two consecutive days, if such continuance shall be necessary for the completion of the work of examination, but no examination shall be begun on any other day than the first day mentioned in this section, and no examination shall be held at any other time than specified above.

Section 10. Each applicant for examination shall, before entering upon examination, deposit with the person appointed to conduct the examination an examination fee as follows: An applicant for an elementary certificate of the second grade, a fee of one and one-half (\$1½) dollars; an applicant for an elementary certificate of the first grade a fee of two (\$2) dollars; an applicant for a life grade certificate a fee of three (\$3) dollars. The fees for the other grades of certificates and for the extension and renewal of certificates shall be fixed by the State board of education upon the recommendation of the State superintendent of education.

Section 11. The county superintendent of education shall not receive any compensation for conducting the examination, but each assistant employed shall be allowed a per diem of five (\$5) dollars, provided that an assistant may be employed for each fifty (50) applicants or fraction thereof from and above the first fifty (50) in any given county. When the superintendent is to be absent, with the consent of the county board of education, he shall notify the State superintendent of education at least ten days before the time the examination is to be held, whereupon the State superintendent of education shall appoint one person to conduct the examination in place of the county superintendent of education, and such person so appointed shall receive a per

diem of five (\$5) dollars for such work. It shall be the duty of the county superintendent of education to see that suitable quarters for holding the examination are provided, including a supply of tables or desks for the convenience of those writing the examination. The county superintendent shall furnish to the State superintendent a sworn statement of any necessary expense incurred in making such provision, which amount shall be paid from the general educational fund upon the approval of the State superintendent of education. The per capita cost in no case shall exceed ten cents for each applicant.

Section 12. Unless the applicant is known to the person appointed to conduct the examination to be of good moral character, or shall make satisfactory proof of the same in writing, he shall not be admitted to the examination. No applicant shall be permitted to write the examination in any county unless engaged in school work in such county, except the county of his residence, without the written approval of the State superintendent of education. The burden of proof under this section shall be upon the applicant.

Section 13. In no case shall an applicant for a certificate receive the same who fails to answer fifty per cent (50%) of the questions propounded in any branch and whose general average is below seventy-five per cent (75%).

Section 14. The fees paid by applicants in accordance with sections 8 and 10 of this article shall be certified at least monthly into the State treasury to the credit of the general educational fund by the State superintendent of education, and the State board is authorized to spend so much of the legislative appropriation as may be necessary to carry out the provisions of this Article including the employment of necessary professional and clerical help, the purchase of necessary equipment and supplies, and other expenses incident thereto. When it shall be necessary to draw on the special legislative appropriation for the purposes set out in this article, the State superintendent of education shall make requisition on the State auditor who shall issue his warrant on the State treasurer for the amount for which requisition is made.

Section 15. The city board of education in any city of one hundred fifty thousand (150,000) inhabitants or more, may, as an integral part of its educational system, establish and maintain a normal training school for the professional preparation of teachers. Any normal training school so established shall conform to the requirements of the State Board of Education for the Class A normal schools of the State, including courses of study, faculties, equipment and practice school facilities. The students of such normal training schools shall receive like recognition as is granted students of the Class A normal schools.

ARTICLE 17. THE TRAINING OF TEACHERS IN SERVICE.

Section 1. As a means of improving beginning teachers and teachers in service in the public schools of the State, teachers' institutes shall be held annually throughout the State, one or more in each county or for a group of counties, and at such times and at such places as the State superintendent of education, after advising with the county superintendent of education, shall direct, the nature of the instruction, and the duration of the institutes which shall not exceed four days in any year for any county or group of counties, shall be such as to promote the best interests of the schools in the respective counties.

Section 2. Every person employed in a teaching or supervisory capacity by any county or city board of education in the public schools of the State shall attend the institute held in the county in which such person is employed, provided the institute is held during term time, or during the week immediately preceding or succeeding the period of opening and closing the schools in the county. All persons so attending shall be paid as for time taught, provided that any teacher or supervisory officer who fails to attend an institute called in accordance with section one (1) of this article shall forfeit his or her contract with the respective county or city board of education, as the case may be, and shall be ineligible to teach in the public schools of the State for a period of six (6) months from the date of such delinquency, unless excused as provided in section three (3) of this article.

Section 3. The State superintendent of education, with the advise of the county superintendent of education shall have the power to excuse teachers and supervisory officers from institute attendance for extraordinary reasons, and persons so excused shall be deemed to have met all requirements of attendance, within the meaning of section two (2) of this Article, but shall not be entitled to pay as for time taught.

Section 4. At the beginning of each institute it shall be the duty of the county superintendent of education and of the city superintendents of schools, as the case may be, to furnish the conductor of the institute on forms to be provided by the State Department of Education, a list in duplicate of all persons employed in a teaching or supervisory capacity in the schools under their respective jurisdictions, and at the close of the institute the conductor shall file with the county superintendent of education, and with the city superintendent of schools the duplicate list of teachers and supervisory officers, numbered serially, employed in the schools under their respective jurisdictions who have met the legal requirements of institute attendance, or have been excused in accordance with section three (3) of this article. It

shall be unlawful for any county superintendent of education or for any superintendent of city schools to place the name of any teacher on the pay roll for a term of six (6) months after the close of the institute so held, or to allow any teacher or supervisory officer who is in the employ of the county or city board of education at the time the said institute was held, and who was delinquent in attendance upon said institute to continue teaching in the schools of the city or county.

Section 5. As a further means of improving teachers in service, the county superintendent of education shall arrange for and conduct group conferences in convenient centers throughout the county, at which round tables shall be conducted, on the course of study, the work of the State teachers reading circle and on the problems of supervision and administration peculiar to the schools represented.

Section 6. The State Department of Education shall give appropriate recognition toward the renewal and extension of teachers' certificates to any person who completes in a satisfactory manner the work assigned for such group conferences. It is made the duty of the State superintendent of education, after advising with the county superintendent of education, to prepare outlines for use in teachers' institutes, and in the group meetings to be held in accordance with section five (5) of this article. Certificates entitling the holder to the renewal or extension privilege as prescribed in this section, shall be issued in accordance with the rules and regulations of the State Department of Education.

Section 7. In the conduct of such institutes and group conferences as may be held under the provisions of this article, it is made the duty of the State normal schools and of other State supported institutions of higher learning, offering teacher training courses to cooperate as far as may be practicable. The State Department of Education in cooperation with the State normal schools and other State supported institutions of higher learning offering teacher-training courses, and with county superintendents of education and city superintendents of schools shall arrange, in so far as may be practicable, for extension courses as a part of or in lieu of the group conferences, to be held in accordance with section (5) of this article. The credit to be allowed by the institution engaging in extension work as authorized in this article, shall be determined by the proper authorities of the said institution.

Section 8. The annual legislative appropriation for the purpose of carrying out the provisions of this act, or so much thereof as may be necessary, shall be used for the training of teachers in service including extension, institute and reading circle work,

the necessary salaries of professional and clerical help and for such other related purposes as may be necessary to make this act of the greatest benefit to the schools of the State, and the State auditor upon requisition of the State superintendent of education shall issue his warrant on the State treasurer for the amount for which requisition is made.

ARTICLE 18. RURAL SCHOOLHOUSES.

Section 1. The fund for the erection, repair and equipment of rural schoolhouses shall consist of the annual legislative appropriations and of unexpended balances as provided by law.

Section 2. The unexpended balances on Oct. 1, 1919, as shown by the books kept by the State auditor and by the State superintendent of education which have accrued to the several counties of the State from the rural schoolhouse fund provided in sections 1975 and 1993 inclusive, of article 31 of the Code of Alabama of 1907 as amended by section 8 of an Act approved September 22, 1915, and also by section 8 of an Act approved February 17, 1919, are hereby declared to revert to the State treasury and the special legislative appropriation of eighty seven thousand five hundred (\$87,500) dollars annually for the quadrennium beginning October 1, 1919, and ending September 30, 1923, is made a part of the fund for the erection, repair and equipment of rural schoolhouses. Out of the appropriation of eighty seven thousand five hundred (\$87,500) dollars, the State superintendent of Education may annually set aside such an amount as may be deemed necessary to procure expert assistants in the drawing of plans and specifications, in the preparation of estimates of bills of material, in the inspection of buildings, and for such other expenses incident thereto as are deemed necessary and he shall apportion the remainder equally among the several counties of the State. On the first day of October 1920 and annually thereafter the total of any unexpended balances remaining to the credit of the counties, together with any unexpended balance of the amount set aside as provided above, shall be apportioned equally among all the counties of the State, and the State superintendent of education shall certify such apportionment to the State auditor.

Section 3. Three or more citizens of any rural community or of any incorporated town in this State under the control of the county board of education, where it is proposed to erect a school building according to plans furnished by the State Department of Education or to repair or to equip a school building according to plans approved by the State Department of Education, shall be eligible to make application to the county board of education for aid subject to the following conditions: The application shall

show that bona fide donations of at least twice the amount for which aid is asked have already been secured, and shall also contain a description of the plot of land upon which the public school building for which aid is sought is located or is to be erected. The maximum amount for which application is made for the erection of a school building shall not exceed four hundred dollars for a school building with one class room, six hundred fifty dollars for a school building with two class rooms, nine hundred dollars for a school building with three class rooms, twelve hundred dollars for a school building with four class rooms, and fifteen hundred dollars for a school building with five or more class rooms. In the granting of aid in the erection of buildings under provisions of this section, the class room shall not be interpreted to include auditorium or work room but additional aid in the sum of three hundred dollars over and above the maximum amount specified for each type of building enumerated above, shall be available under the same conditions for the erection of an auditorium, and a further like amount shall be available for the erection of one work room of standard size. The maximum amount for which application is made for the repair or for the equipment of a school building shall not exceed four hundred dollars, provided that no application for repair or for equipment for less than fifty dollars shall be considered. It shall be stipulated in each application for State aid that separate toilets for boys and girls, to conform to standards set up by the State board of education in cooperation with the State Board of Health, will be erected.

Section 4. The county board of education shall consider all applications filed, shall approve such as seem worthy under such regulations, as may be prescribed by the State superintendent of education, and shall keep a record of the proceedings showing the applications approved by the board, the amount of the bona fide donations and the amount which the board recommends to be given to any school. The county board of education shall certify to the State superintendent of education the amount of donations which have been paid over to the county treasurer of school funds; and that a deed in fee simple to not less than two acres of land, if for the repair or for the equipment of any school building or for the erection of a school building with not more than two class rooms, and of not less than five acres of land for a school building containing three or more class rooms has been executed to the State of Alabama; provided that when application is made for the repair or for the equipment of any building the title to the property may be vested in the county board of education. The said certificate shall show the amount of money recommended to be given to the school; provided, that the deed or deeds conveying the title to the property shall accompany the

certification made to the State superintendent of education and shall remain on file in his office.

Section 5. Before approving any application for aid which has been properly certified to him, the State superintendent of education shall satisfy himself that the conditions of this article have been fully complied with. If he approves the application as certified to him by the county board of education he shall request the State auditor to draw his warrant on the State treasurer for the amount for which the application is approved. The State auditor shall draw his warrant on the State treasurer for the amount of money to be given to the school as shown by the requisition of the State superintendent of education, making the warrant payable to the county treasurer of school funds of the county wherein the school is located and shall indicate therein for the benefit of what public school the same is issued. The warrant shall be delivered to the State superintendent of education who shall forward the same to the county treasurer of school funds of the county wherein the school receiving the aid is located and shall also notify the county board of education of that fact; provided, that all persons receiving any warrant or the proceeds thereof issued under this act shall issue a receipt to the person from whom he receives the same.

Section 6. The erection, repair and equipment of any school building under the provisions of this article shall be under the direction and control of the county board of education which board shall authorize all contracts and shall order the county treasurer of school funds to make payment of the amount due under any contract; provided, that the State warrant, issued under the provisions of this article, shall be held in trust and shall not be cashed until inspection has been made and approval certified by the State superintendent of education to the county treasurer of school funds and the county board of education.

Section 7. Whenever the county board of education shall certify to the State superintendent of education that the school building for which State aid is appropriated is completed and all equipment is in place or repairs made and that all indebtedness on the school building, equipment or repairs has been paid except such an amount as will be satisfied by the funds remaining in the hands of the county treasurer of school funds, the State superintendent of education shall inspect or delegate some one to inspect the work done and equipment installed, and if such meets all requirements of the provisions under which State aid was granted, he shall authorize the county treasurer of school funds in writing to pay out the remainder of the funds upon the order of the county board of education.

Section 8. The State superintendent of education shall open an account with each county in the State in a book kept by him

for that purpose and shall charge against the county the amount of each warrant issued under this article for the benefit of the public schools of such county; provided, that any warrant not cashed by the county treasurer of school funds by reason of failure to comply with the requirements of this article shall, after the lapse of twelve months from the issuance of the same, be by him returned to the State superintendent of education, who shall mark the same "cancelled" and shall also make in the book kept by him in accordance with the preceding section a credit entry in favor of the county for which the warrant was originally drawn for the amount of any warrant so cancelled, provided that this section shall not be so construed as to prevent the return of any warrant for cancellation before the expiration of the twelve months' period when the county board of education shall certify that the patrons are unable to comply with the requirements of the law.

ARTICLE 19. SALE AND CONVEYANCE OF LAND DEEDED TO THE STATE FOR SCHOOL PURPOSES.

Section 1. Whenever the county board of education of any county shall certify to the State superintendent of education that it is to the benefit of the public school interests of such county or a public school district thereof for any lands situated in such county or district which have been conveyed to the State of Alabama for school purposes under the provisions of article 20 or 31 of Chapter 41 of the Code of Alabama to be sold, particularly describing the same, the superintendent of education, upon the receipt of such certificate, shall be and he is hereby authorized and empowered, with the approval of the governor, to sell and convey such land, either at public or private sale, and upon such consideration as may to him appear just and proper in the premises, and to execute a deed to the purchaser of the same in the name of the State of Alabama, and upon the delivery of such deed, the same shall divest all the right, title and interest of the State of Alabama in said land and invest it in such purchaser.

Section 2. That the proceeds of any sale of lands made under this article shall be by the State superintendent of education paid to the county board of education of the county where such land is situated, or to the chief executive officer of said board. That said proceeds shall constitute a part of the public school fund of such county; provided, however, if said land was conveyed to the State under Article 31 of Chapter 41 of the Code of Alabama, then such proceeds shall be used by said county board of education for the exclusive use of the public school building fund of the county.

ARTICLE 20. RURAL LIBRARIES.

Section 1. The rural library fund shall consist of the annual sum of one hundred (\$100) dollars for each county, in all sixty-seven hundred (\$6,700) dollars, as appropriated by law, which fund shall be used for the purpose of establishing and maintaining libraries in the rural schools of the State as provided by this article.

Section 2. The Commissioners' court, board of revenue or board of education in any county is hereby authorized to appropriate not less than ten (\$10) dollars to any public school under the control of the county board of education and to any county high school for the purpose of establishing, maintaining, enlarging or improving public libraries in such schools.

Section 3. In order to obtain the benefits of the provisions of this article the patrons or friends of the school shall first raise the sum of not less than ten (\$10) dollars and deposit the said amount with the county superintendent of education. The county superintendent shall within ten days certify to the commissioner's court, board of revenue or board of education the fact of the said deposit, requesting action therein. Thereupon the said court or board shall at once, or at the first term of meeting following the receipt of the notice, consider making an appropriation of not less than ten (\$10) dollars. If the appropriation shall be made, the probate judge or other presiding officer of the court or board shall on the same date certify the fact to the county superintendent of education, who shall immediately thereafter, transmit notice of the same to the State superintendent of education. On receipt of notice that an amount of not less than twenty (\$20) dollars has been made available as provided in this section, the State superintendent of education shall make requisition upon the State auditor for the sum of ten (\$10) dollars in order to meet such donation and appropriation. The said warrant shall be drawn in favor of the county treasurer of school funds, to whom shall also be at once paid over by the county superintendent of education the amount first collected by voluntary subscription, and the sum appropriated by the commissioner's court, board of revenue or board of education. The county treasurer of school funds shall keep a separate account of said sums so received; and they shall be paid out by him as hereinafter directed.

Section 4. The State superintendent of education, with the assistance of the Director of the Department of Archives and History, shall compile and publish a carefully selected and annotated list of books from which the libraries herein provided shall be chosen, and they shall also adopt and publish rules and regulations for the choice of books, their use, preservation and circu-

lation, the erection of book shelves or book cases, and the equipment of library rooms or buildings, and the training of libraries or custodians for the libraries. The selection shall be as nearly as possible representative of the whole field of literature, and maximum prices for purchase shall be indicated.

Section 5. The county superintendent of education and the trustees of the school to which a library has been granted shall constitute a library board charged with the administration of the library as other school property, and they are hereby charged with the same care and attention in connection therewith as of the school grounds, the school building or buildings, and the school equipment. They shall select the librarian or custodian, who shall be the teacher, if he or she will consent to act, and they shall see that the rules prescribed herein are carried out, but if the librarian is other than the teacher, such person shall be under the direction of the teacher as the representative of the library board. They shall provide a suitable book-case, or book-cases, with lock and key, for the preservation of the library. They shall furnish to each teacher at the beginning of school an inventory of all the books in the library and shall require from each teacher at the close of school an inventory of all books in the library, provided that arrangements for keeping the library open during vacation may be made by the county board of education; provided further, that in the event the full number of libraries available for any county are not taken on or before the first day of July of that year, the county board of education may in its discretion allow any individual school to apply for one or more libraries under the same general conditions prescribed in this Article; provided further, that any county board of education may in lieu of granting libraries to schools establish a system of circulating libraries, said libraries to be purchased under the same conditions and in keeping with the plan set out in section 3 of this article by the county superintendent of education; provided further, that such circulating libraries shall be available for use in the public schools of the county under rules and regulations prescribed by the county board of education with the approval of the State Board of Education.

Section 6. The selection and purchase of books from the authorized list shall be made by the county superintendent of education with the assistance of the principal teacher of the school. After the order has been placed by the county superintendent of education and a notice of the delivery of the books received, the county treasurer of school funds shall draw a warrant or check to cover the charges including the weight. Vouchers or bills in duplicate shall be made out, the original to be sent by the book-seller or dealer to the county treasurer of school funds, and a copy to the State superintendent of education.

ARTICLE 21. VOCATIONAL EDUCATION.

Section 1. The State of Alabama hereby accepts all of the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America, in Congress assembled, entitled "An Act to provide for the promotion of vocational education; to provide for cooperation with the States in the promotion of vocational education; to provide for cooperation with the States in the promotion of such education in agriculture and the trades and industries; to provide for cooperation with the States in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure," approved February twenty-third nineteen hundred seventeen.

Section 2. The State treasurer is hereby designated and appointed custodian of all monies received by the State from the appropriations made by said act of Congress, and he is authorized to receive, and to provide for the proper custody of the same and to make disbursements thereof in the manner provided in the act and for the purpose therein specified. He shall also pay out any monies appropriated by the State of Alabama for the purpose of carrying out the provisions of this article upon the order of the State Board of Education.

Section 3. The State superintendent of education shall designate by and with the advice and consent of the State board of education, such assistants as may be necessary to properly carry out the provisions of this Article. The State superintendent of education shall also carry into effect such rules and regulations as the State board of education may adopt and shall prepare such reports concerning the condition of vocational education in the State as the State board of education may require.

Section 4. The State board of education shall have all necessary authority to cooperate with the Federal board for vocational education in the administration of said Act of Congress; to administer any legislation pursuant thereto enacted by the State of Alabama, and to administer the funds provided by the Federal government and the State of Alabama under the provisions of this article, for the promotion of vocational education in agricultural subjects, trade and industrial subjects, and home economics subjects. It shall have full authority to formulate plans for the promotion of vocational education in such subjects as an essential and integral part of the public school system of education in the State of Alabama, and to provide for the preparation of teachers of such subjects. It shall have authority to fix the compensation of such officials and assistants as may be necessary to administer the Federal act and this article for the State of Alabama and to pay such compensation and other necessary expenses of administration from funds appropriated in this arti-

cle. It shall have authority to make studies and investigations relating to vocational education in such subjects; to promote and aid in the establishment by local communities of schools, departments, or classes giving training in such subjects; to cooperate with local communities in the maintenance of such schools, departments, or classes; to prescribe qualifications for the teachers, directors and supervisors of such subjects, and to have full authority to provide for the certification of such teachers, directors and supervisors; to cooperate in the maintenance of classes supported and controlled by the public for the preparation of teachers, directors and supervisors of such subjects or to maintain such classes under its own direction and control; to establish and determine by general regulations the qualifications to be possessed by persons engaged in the training of vocational teachers.

Section 5. The board of education of any county or of any city of 2,000 or more inhabitants according to the last or any succeeding Federal census, may cooperate with the State board of education in the establishment of vocational schools or classes giving instructions in agricultural subjects, in trade or industrial subjects or in home economics subjects and may use any monies raised by public taxation in the same manner as monies for other school purposes are used for the maintenance and support of public schools.

Section 6. The State of Alabama shall appropriate a sum of money available for each fiscal year not less than the maximum sum which may be allotted to the State of Alabama for the purpose set forth in the said Federal Act.

Section 7. The monies appropriated by the State of Alabama, the funds deposited with the State treasurer under the provisions of the Smith-Hughes Act, and any other funds accruing to the State for vocational education, shall be used by the State board of education for the purposes set forth in this article, and the monies so appropriated and accruing shall be paid out upon requisition of the State superintendent of education upon the State Auditor who shall draw his warrant upon the State treasurer for the amount for which requisition is made.

Section 8. The State board of education in its annual report to the governor shall set forth the condition of vocational education in the State of Alabama, a list of the schools to which Federal and State aid has been given, and a detailed statement of the expenditures of Federal funds and the State funds provided in section six of this article.

ARTICLE 22. ILLITERACY.

Section 1. The State board of education shall be charged with the responsibility for the removal of illiteracy in Alabama.

It shall have the power to make research and to collect data, and shall endeavor to enlist the services of any and all community agencies of the State for the removal of illiteracy. The State board of education is authorized to receive and expend any funds which may be given to it from time to time from public, private or other sources, and shall adopt such rules and regulations as may seem to it most satisfactory for carrying on the work outlined in this section.

Section 2. It shall be the duty of county and city boards of education to co-operate with the State board of education in the removal of illiteracy in the territory under their respective jurisdictions and to this end the said boards may appropriate from public school funds such amounts as may be necessary to carry out the provisions of this article.

Section 3. The State board of education and county and city boards of education are hereby authorized to co-operate with the Federal government in making effective any law that may be enacted by Congress for the removal of illiteracy in Alabama and in the counties and cities thereof.

Section 4. For the employment of such professional and clerical assistants as may be necessary and for other necessary expenses, the State board of education is authorized to expend the annual legislative appropriation and such other funds as may be available for the purpose set out in this article. The legislative appropriation shall be paid out upon the requisition of the State superintendent of education on the State auditor who shall issue his warrant upon the State treasurer for the amount for which requisition is made.

ARTICLE 23. TEXT BOOKS.

Section 1. The State board of education shall have the direction and oversight of the selection of text books for the elementary public schools of the State; for the selection of said text books the State board of education shall, upon the recommendation of the State Superintendent of education, appoint a text book committee not to exceed seven (7) members, composed of well known educators engaged in public school work.

Section 2. Before transacting any business pertaining to the duties of selecting text books each member of the committee shall take an oath before some person authorized to administer oaths to faithfully discharge all the duties imposed upon him as a member of said text book committee, and that he has no interest, directly or indirectly in any contract that may be made under this article.

Section 3. The text book committee shall immediately after appointment meet and organize by electing a President. The

State superintendent of education shall be the Secretary of the committee.

Section 4. It shall be the duty of the said text book committee to select and adopt a uniform series of text books for use in the public schools of the State for a period of five (5) years, unless otherwise directed by the State board of education.

Section 5. It shall be unlawful for any school official, director, or teacher to use any books upon the same branches other than those adopted by said text book committee, to the exclusion of the regularly adopted texts.

Section 6. Said uniform series shall include the following branches of study, to-wit: spelling, reading, writing, arithmetic, geography, oral and written language, history of Alabama, including the Constitution of the State, history of the United States including the Constitution of the United States, elementary physiology and hygiene, agriculture, and such other branches of study as may be prescribed by the State board of education for the elementary schools of the State. No text books adopted for use in the public schools in accordance with this article shall contain anything of a partisan or sectarian character.

Section 7. The State Board of education shall have the power by three-fourths vote, to drop an unsatisfactory book at the end of any school year while the contract is in force, and upon the recommendation of the State text book committee to make another adoption in lieu thereof.

Section 8. The text book committee shall consider the merits of each book, taking into consideration subject matter, printing, binding, material and mechanical make-up, and contents and general suitability and desirability for the purpose intended. No text book, the subject matter of which is of inferior quality, shall be adopted by the State text book committee, and said committee shall select and adopt such books as will in their judgment accomplish the ends desired, taking into account the price of said books.

Section 9. In the event any book or books are deemed suitable for adoption, and are more desirable than other books of the class submitted, but the price at which the books are offered appears to be unreasonably high, the committee shall immediately notify the publishers or author of such book or books, and request such reduction in price as may seem reasonable and just, and if a satisfactory price can be agreed upon the committee may adopt such book or books.

Section 10. As soon as practicable, and not later than three (3) days after organization, the committee shall advertise in such manner and for such length of time and at such places as may be deemed advisable, that at a time and place fixed definitely

in such advertisement, sealed bids or proposals will be received from the publishers of school text books for furnishing books to the public schools in the State of Alabama through such agencies in the several counties in the State as may be provided for in such regulations as the said board of education may adopt and prescribe.

Section 11. The bids or proposals shall be for furnishing the books for a period of five (5) years, unless otherwise ordered by the State board of education. Said bids shall state specifically and definitely the price at which the books shall be furnished and shall be accompanied by specimen copies of each and every book proposed to be furnished.

Section 12. It shall be required of each bidder to deposit with the treasurer of the State a sum of money, such as the State board of education may require, not less than five hundred (\$500) dollars or more than twenty-five hundred (\$2500) dollars, according to the number of books each bidder may propose to supply, and notice shall further be given in such advertisement that such deposits shall be forfeited absolutely to the State board of education, if the bidder making the deposit shall fail or refuse to make and execute such contract and bond as hereinafter required within such time as the State board of education may require, which time shall be stated in the advertisement.

Section 13. All bids shall be sealed and deposited with the Secretary of State to be by him delivered to the committee when in executive session for the purpose of considering the same. All such bids shall be opened in the presence of the committee. The text book committee shall meet at the time and place designated in such notice or advertisement, and carefully examine the sample or specimen copies submitted upon which the bids are based. After the examination of the books submitted has been concluded the committee shall meet in executive session to open and examine all sealed proposals submitted and received in pursuance of the notice or advertisement, provided for in section 10 of this article. The committee shall then examine carefully such bids or proposals, and determine in the manner provided in the preceeding section of this article what book or books shall be selected for adoption, taking into consideration the size, quality, including subject matter, material, printing, binding and the mechanical execution and price, as well as the general suitability for the purpose desired and intended. All books selected and adopted shall be written and printed in English.

Section 14. After the selections for adoption have been made by the text book committee the said committee shall make known its decision to the State board of education. The State board of education shall thereupon notify the bidders to whom contracts have been awarded.

Section 15. The Attorney General of the State shall prepare the said contract or contracts in accordance with the provisions of this article, and the said contracts shall be executed by the President of the State board of education and the Secretary, with the seal of the State board of education attached upon the part of the State of Alabama, and the said contract shall be executed in triplicate, one copy to be kept by the contractor, one copy by the executive secretary of the State board of education and copied in full in the minutes of the State board of education, one copy to be filed in the office of the Secretary of State.

Section 16. At the time of the execution of the contract executed in accordance with the provisions of section 15 of this article, the contractors shall enter into a bond in the sum of not less than ten thousand (\$10,000) dollars, nor more than thirty thousand (\$30,000) dollars, each payable to the State of Alabama, the amount of said bond within said limits to be fixed by the State board of education, conditioned upon the faithful, honest and exact performance of the contract. Said bond shall also further provide for the payment of reasonable attorney's fees in case of recovery in any suit upon the same, and any guaranty company authorized to do business in the State of Alabama may become surety on said bond. The bond shall be prepared by the Attorney General and shall have his approval. The said bond shall not be exhausted by a single recovery thereon, but may be sued on from time to time until the full amount shall have been recovered, and the State board of education may at any time, by giving thirty (30) days notice, require additional security or additional bond within the limits prescribed.

Section 17. When any person, firm or corporation shall have been awarded a contract, and shall have submitted therewith a bond as required in this article, the State board of education, through its executive secretary, shall inform the Treasurer of the State, and the Treasurer shall return such contractor the cash deposit made by him, and the State board of education, through its executive secretary shall inform the Treasurer of the names of the unsuccessful bidders or proposers, and the Treasurer shall, upon receipt of this notice, return to them the amount deposited in cash by them at the time of the submission of their bids.

Section 18. Should any person, firm, company, or corporation fail or refuse to execute the contract and submit therewith his bond as required by this article within thirty (30) days of the time of the awarding of the contract to him, the cash deposit will be deemed forfeited to the State of Alabama, and the Treasurer shall place such cash deposit in the State Treasury to the credit of the State board of education. The mailing of the registered letter announcing the award of the contract, shall be sufficient evidence that the notice was given and received.

Section 19. Any recovery had on any bond given by any contractor shall inure to the benefit of the State board of education, and when collected shall be placed in the treasury to the credit of the State board of education, for the use of said board.

Section 20. The executive secretary of the State board of education shall preserve in his office, as the standard of quality and excellence to be maintained in such books, during the continuance of such contracts, the specimen or sample copies of all books which have been made the basis of any contract, together with the original bid or proposal, and the contractor shall also furnish each county superintendent of education like specimen or sample copies which shall be preserved by him in like manner, and the same shall always be open to the inspection of the public, and the books furnished under each and every contract shall at all times during the existence of the contract be equal in all respects to the specimen or sample copies furnished with bids.

Section 21. All contractors shall print on the back of each book the contract price, as well as the exchange price at which it is agreed to be furnished, but the books submitted as specimen or sample copies with the original bids shall not have the price printed on them before they are submitted to the committee. The State board of education shall also have the right to authorize the insertion of printed slips on the inside of the back cover of any book, showing the contract price at which it is agreed to be furnished, in lieu of requiring the same to be printed on the back of each book, this provision to apply only for the last year of the period for which any book has been adopted.

Section 22. The State board of education shall not in any case contract with any person or publisher for the use of any books which are to be sold to patrons or used in any public school in this State at a price above or in excess of the price at which such book or books are furnished by said person or publisher under contract executed with twelve (12) months next preceding to any State, county or school district in the United States under like conditions prevailing in this State and under this article. It shall be specifically stipulated in each contract that the contractor is not furnishing under any contract executed during the twelve months preceding any State, county or school district in the United States, where like conditions prevail as are prevailing in this State under this article, the same book or books as are embraced in said contract, at a price below or less than the price stipulated in the said contract, and the State board of education may at any time, upon finding that any book has been furnished at a lower price under contract to any State, county, or school district aforesaid, sue upon the bond of said contractor and recover the difference between the contract price and the lower price at which the book or books have been sold, and in case a contractor shall

fail to execute specifically the terms and provisions of his contract, the State board of education shall bring suit upon the contract of such contractor for the recovery of damages, the suit to be in the name of the State of Alabama and the recovery for the benefit of the State board of education.

Section 23. The State board of education and any contractor agreeing thereto, may in any manner change or alter any contract provided a majority of the State board of education shall agree to the change.

Section 24. It shall always be a part of the terms and conditions of every contract made in pursuance to this article, that the State of Alabama shall not be liable to any contractor in any manner nor in any sum what-so-ever, but all such contractors shall receive the pay or consideration in compensation solely and exclusively derived from the proceeds of the sale of books as provided for in this article.

Section 25. It shall be stipulated in each and every contract for the supplying of any books, as provided in this article, that the contractor or contractors shall take up the school books now in use in the State, and receive the same in exchange for new books at a price to be fixed in the contract, which shall not be greater than is charged in other states where such book is adopted. The exchange period shall continue for one year from the date of contract, and each person or publisher making a bid for the supplying of any book or books under this article shall state in such bid or proposal the exchange price at which such book or books shall be furnished.

Section 26. The State text book committee shall have and reserve the right to reject any and all bids or proposals, and in the event the committee fails from among the bids or proposals submitted to select or adopt any book or books upon any of the branches mentioned in previous sections of this article, the said committee may readvertise for sealed bids or proposals under the same terms and conditions as before, and proceed in their investigations in all respects as it did in the first instance, and as required by the terms and conditions of this article.

Section 27. As soon as the State board of education shall have entered into a contract or contracts for the furnishing or supplying of books for use in the public schools in this State an announcement to this effect shall be made by the President of the State board of education to the people of the State.

Section 28. The party or parties with whom the contract shall be made shall place their books on sale at not less than three (3) places in each county of the State for the distribution of the books to the patrons, and the contractor shall be permitted to make arrangements with a merchant or other person for the handling and distribution of the books.

Section 29. All books shall be sold to the consumer at the retail contract price, and in each book shall be printed the following—"The price fixed herein is fixed by State contract and deviations therefrom shall be reported to your county superintendent of education or to the State superintendent of education. Should any party contracting to furnish books as provided for fail to furnish them, or otherwise breach his contract, in addition to the right of the State to sue on his bond hereinabove required the county superintendent of any county may sue in the name of the State of Alabama in any court of competent jurisdiction in the county in which he resides for the use and benefit of the school fund of the county, but the right of the action of the county superintendent shall be limited to breaches of the contract committed in his own county. In all cases under this article service of process may be had and deemed sufficient on any agent of the contractor in this State.

Section 30. The State board of education shall from time to time make any necessary regulations to secure the prompt distribution of the books provided for in this article, and for the prompt and faithful execution of all contracts.

Section 31. The text book committees, provided for in this article, shall maintain its organization for five (5) years, unless otherwise ordered by the State board of education, and the State board of education shall have power to name similar committees, with like powers and for like terms. All bids and contracts for school books shall provide for the purchase by municipalities, districts and counties which supply free school books of all such books at the regular contract price, less the commission allowed the agents or depositors.

Section 32. As soon as practicable after the adoption provided for in this article, the State superintendent of education shall issue a bulletin to be furnished county superintendents of education, city superintendents of schools, and other interested parties, containing the list of books adopted, the prices, the location of agencies, the manner of distribution, and such other information as he may deem necessary.

Section 33. As soon as any existing contract for books expires the books adopted as a uniform series of text books for any period shall be introduced and used as text books to the exclusion of all others in the public free schools in this State, provided that supplementary books may be used, but such books shall not be used to the exclusion of the books prescribed or adopted under the provisions of this article.

Section 34. The patrons of the public schools throughout the State may procure books in the usual way in the event no contract should be made, or if the contractor should fail or

refuse to furnish the books provided for in this article at the time required for their use in the public schools.

Section 35. The members of the text book committee shall be paid the sum of five (\$5) dollars per day during the time they are engaged in such work, and in addition shall receive ten (10) cents per mile for each mile traveled from their homes to the place of meeting and return, to be paid out of the revolving fund set apart for the use of the State board of education, or such other fund as may be available for such purpose. Each member of the committee, before receiving any funds for salary or expenses shall make and swear to a statement of the number of miles traveled and the number of days engaged. When it becomes necessary to pay out any funds in accordance with the provisions of this section, the State superintendent of education shall make requisition upon the State auditor who shall draw his warrant upon the State treasurer for the amount for which requisition is made.

Section 36. In case of the failure of any contractor to furnish the books as provided in his contract, his bond shall be declared forfeited, and the State board of education, upon the recommendation of the State text book committee, may make such other contract for the unexpired term with some other person or company to provide such books as may be necessary to take the place of those for which the contract has been forfeited.

Section 37. In the event any city or county is furnishing free text books at the time any regular contract is entered into with any publisher to supply text books for use in the public schools of the State, it shall be stipulated in such contract that said city or county shall have the right to purchase such text books direct from publishers and at the same prices and with the same exchange privileges as such text books are furnished to the State during the life of such contract. Provided that the aforesaid privilege shall apply only on orders for freight shipments of one hundred pounds or more.

Section 38. Any city of forty thousand (40,000) or more inhabitants whose board of education is providing free text books in its elementary schools may, with the approval of the State board of education, substitute in its book lists, texts other than those prescribed by the State Text Book Committee.

ARTICLE 24. COUNTY HIGH SCHOOLS.

Section 1. The State board of education shall have the authority to locate one high school in each of the counties of the State which shall comply with the minimum requirements prescribed by such board.

Section 2. As a condition for making application for the location of a county high school there shall be tendered to the State a suitable site which shall consist of not less than five (5) acres of land, the title to the surface of which shall be in fee, (but the land need not include mineral rights) and there shall be executed an agreement to erect thereon a building suitable for high school purposes in accordance with plans and specifications approved by the State board of education, together with all necessary equipment. The cost of said building and equipment shall not be less than twenty thousand (\$20,000) dollars. Upon the satisfactory erection and equipment of the building, and the execution of a deed conveying to the State of Alabama said land, building and equipment, there shall be available for such county high school from the State treasury a sum of not less than three thousand (\$3,000.) dollars nor more than four thousand (\$4000.) dollars, for each fiscal year.

Section 3. The sum of three thousand (\$3,000) dollars annually shall be available for each county high school heretofore or hereafter established and additional sum not to exceed fifteen hundred (\$1500) dollars, in multiples of two hundred and fifty (\$250.) dollars, shall also be available to any such county high school, conditioned upon an appropriation by the county board of education, board of revenue, or court of county commissioners, of at least an equal amount to be given by the State and the meeting of such requirements as may be prescribed by the State board of education. County boards of education, boards of revenue and courts of County Commissioners are authorized to donate funds for the maintenance and support of county high schools, and for the purpose of meeting the conditions set out in this section, and to accept funds for such purposes from incorporated towns, special school districts, and from private individuals. All appropriations made by the State and by the county boards of education, boards of revenue or Courts of County Commissioners shall be paid quarterly in advance and in accordance with the rules and regulations prescribed by the State board of education. The State board of education with the consent of the county board of education shall have the authority to discontinue any county high school and to deed the property to the party or parties that in the opinion of the State board of education are entitled to receive it, and the State board of education shall have the power to locate another high school in the county in which a county high school has been discontinued, upon the fulfillment of the conditions prescribed in this article.

Section 4. Each county high school of the State shall be under the direction and control of the County board of education of the county in which the county high school is located, but the State board of education shall have the right to make regulations

setting up minimum standards for the course of study, qualifications of principals and teachers and of the sanitary conditions to be maintained.

• Section 5. For the purpose of seeing that the minimum standards prescribed by the State board of education in accordance with Section 4 preceding, are maintained and for the promotion of secondary education throughout the State, the State superintendent of education with the approval of the State board of education is authorized to expend an amount not to exceed five thousand (\$5,000) dollars annually to pay the necessary salary and expenses of persons employed for the supervision contemplated in this section.

Section 6. For the purpose of maintaining county high schools as provided in Sections 1, 2, 3, 3, and 5, of this article, the State board of education is authorized to use the annual legislative appropriation provided by law, provided that all such funds shall be paid out upon requisition of the State superintendent of education upon the State auditor who shall draw his warrant on the State treasurer for the amount for which requisition is made.

Section 7. A matriculation fee of two and one-half (\$2.50) dollars shall be collected for each term from each school child entering said high school, and the proceeds of said fees shall be used under the direction of the county board of education to meet the incidental expenses of the schools, but shall not be used to pay salaries other than for janitor services. The State board of education shall also have the power to require a reasonable fee for laboratory and shop work.

Section 8. There shall be appointed by the county board of education for each county high school a treasurer who shall hold office for a term of three years. He shall serve without pay and shall execute a bond for three thousand (\$3,000) dollars in a surety company authorized to do business in this State, the premium on which shall be paid from the high school treasury. The county high school treasurer may be removed at the pleasure of the county board of education. He shall be custodian of all funds accruing to the county high school, and shall pay out the same on monthly pay rolls made by the principal. Certified pay rolls showing the receipts and disbursements shall be sent to the State Department of Education.

Section 9. Any county board of education, commissioners court, board of revenue or other governing body is authorized to donate or appropriate funds to aid in the construction or improvement of necessary buildings, and the maintenance and support of county high schools.

Section 10. The cities and towns of this State are authorized and empowered to convey real and personal property belonging

to such cities or towns to the State board of education, and to make appropriations from city or town funds, and issue bonds to aid in the erection and in the equipment of high school buildings.

ARTICLE 25. STATE SECONDARY AGRICULTURAL SCHOOLS.

Section 1. The annual legislative appropriation for the fiscal year beginning October 1, 1919, for the support of the nine branch agricultural schools and experiment stations otherwise known as district agricultural schools, located at Jackson, Clarke county, at Evergreen, Conecuh county, at Abbeville, Henry county, at Sylacauga, Talladega county, at Wetumpka, Elmore county, at Hamilton, Marion county, at Albertville, Marshall county, at Athens, Limestone county, at Blountsville, Blount county, and to the Northeast Agricultural and Industrial Institute at Lineville, shall be paid in quarterly installments on October 1st., January 1st., April 1st., July 1st to the secretary-treasurer for the maintenance and support of said schools.

Section 2. The annual legislative appropriation for the maintenance and support of the State secondary agricultural schools for the fiscal year beginning October 1, 1920, and thereafter, shall be paid quarterly on October 1st, January 1st, April 1st, July 1st to the secretary-treasurer of said schools.

Section 3. The ten schools mentioned in section one of this article shall on and after October 1, 1920 be known as State secondary Agricultural Schools and shall receive an annual appropriation of \$7,500.00 each as provided in Section 2 of this Article. The people in the ten districts where said schools are located shall erect a dormitory in each of said districts within three years from January 1st, 1920 on a site acceptable to the State board of education which shall be presented to the State for the use of said school, free of all incumbrances, the said dormitory to conform to the plans and specifications approved by the State Department of Education; and any county board of revenue, court of county commissioners, city or town council or commission, is hereby authorized to appropriate funds for the erection of said dormitory as provided in this act.

Section 4. The State board of education shall prescribe rules and regulations for the government, and control of the school, arrange the course of study, placing the major emphasis on agriculture and home economics, and select the principals, teachers and all other employees.

Section 5. All funds appropriated under the provisions of this article shall be paid out upon requisition of the State superin-

tendent of education upon the State auditor who shall draw his warrants upon the State treasurer for the amount for which requisition is made in favor of the Secretary-Treasurer.

ARTICLE 26. STATE NORMAL SCHOOLS.

Section 1. The State board of education shall have the control and management of the several normal schools of the State for white teachers, located at Florence, Jacksonville, Livingston, Troy, Daphne, and Moundville, and of the State normal school for colored teachers, located at Montgomery.

Section 2. The State board of education shall make rules and regulations for the government of the schools and shall elect the President of each of the several schools, and upon their recommendations the members of the faculties, and shall fix the tenure and salary of each and shall prescribe the courses of study to be offered and the extension work to be done. Provided hereby that the State board of education shall so arrange the course of study for the State normal school located at Daphne, Baldwin County and Moundville, Hale county, Alabama, that its graduates after the increased appropriation for said school shall be allowed the same privilege for certificate exemption as that accorded the Class A. normal schools of Alabama.

Section 3. The State board of education is charged with the responsibility of directing the expenditure of the annual legislative appropriations for the support and maintenance of the State normal schools for white teachers located at Florence, Jacksonville, Livingston, Troy, Daphne and Moundville, and of the State normal school for colored teachers located at Montgomery. The State board of education is further charged with the responsibility of expending all special appropriations made to any or all of the above institutions, and of seeing that the conditions prescribed in the acts making the appropriations are fully complied with.

Section 4. All funds appropriated to the normal schools shall be paid upon requisition of the State superintendent of education upon the State auditor who shall draw his warrant on the State treasurer in favor of the treasurer of the school for the amount for which requisition is made.

Section 7. It shall be the duty of the president of each of such normal schools at the end of each session or in a reasonable time thereafter, to publish once a week for three successive weeks in a newspaper published in the county where such school is located an itemized statement showing receipts, expenditures and disbursement of such school of which he is president.

ARTICLE 27. ALABAMA SCHOOL OF TRADES AND INDUSTRY.

Section 1. There is hereby created and established at Ragland, Alabama, the Alabama School of Trades and Industry for the education and training of white boys and young men in all the useful and industrial occupations and in the arts and sciences, and to enable the students of such institutions to acquire education and training by employing a part or portion of their time, if necessary, while in school to pay all or a part of their board, lodging and tuition.

Section 2. The said school is hereby incorporated by this act under the name of "The Alabama School of Trades and Industry", with the right to have and use a corporate seal, to sue and be sued in such corporate name in any of the courts of this State of competent jurisdiction, as in the cases of natural persons.

Section 3. It shall be the duty of the governor upon the approval of this act, to appoint five trustees to serve until September 30, 1923, after which the entire management and control of such school shall be vested in the State board of education, who shall constitute a board of control for the said school. All vacancies shall be filled by appointment by the governor. The aforesaid trustees named in this act shall meet in the town of Ragland at such time as they may appoint, not more than ninety days after the approval of this act, and organize themselves into a board of control for said school by electing one of their members chairman and a secretary and treasurer, and such other officers as they think necessary, a majority shall constitute a quorum of such board for the transaction of business. The secretary and treasurer may be some one other than a trustee and the State superintendent of education and the governor of the State of Alabama are ex-officio members of the board of control.

Section 4. The board of control is hereby invested with full and ample authority to receive and accept for the use and benefit of such school all gifts, donations, devices and bequests of any and all money and real and personal property necessary and useful in carrying into effect the object and purpose of this Act, and with the authority on the part of such board of control in the name of such corporation to sell and dispose of such property which, in the judgment of such board may aid in carrying into effect the object of this act, and the building up and sustaining of such schools.

Section 5. The persons attending such school shall be taught and thoroughly trained in the useful occupations, arts and sciences with the concurrence and approval of such board.

Section 6. The board of control, aforesaid, is hereby invested with full, ample and sufficient power and authority to make and

adopt all laws, rules and regulations not inconsistent with the laws of this State which may be necessary for the management, control and conduct of such school, and the business connected therewith.

Section 7. The said school shall be located at Ragland, Alabama, and on a lot or parcel of land containing an area of not less than one hundred (100) acres heretofore deeded to the Alabama School of Trades and Industry as incorporated under an act approved April 12, 1911. In order to make provision for the construction of the necessary school buildings and equipment for the Alabama School of Trades and Industry of Ragland, Alabama, the board of trustees is authorized to accept from public or private sources the sum of thirty thousand (\$30,000) dollars, to be expended for such purposes provided that when the full sum of thirty thousand (30,000) dollars shall have been placed to the credit of the board of control the special legislative appropriation of thirty thousand (\$30,000) dollars to be used for the construction and equipment of the necessary school buildings shall also be available upon the approval of the governor and shall be paid out upon the requisition of the State superintendent of education upon the State auditor who shall draw his warrant upon the State treasurer for the amount for which requisition is made.

Section 8. The annual legislative appropriation for the maintenance and support of the said school shall be paid in quarterly installments on October 1st, January 1st, April 1st, July 1st upon requisition of the State superintendent of education upon the State auditor who shall draw his warrant in favor of the treasurer of the school for the amount to which the school is entitled.

Section 9. The said board of control shall be required to keep in a well bound book or books a full and complete record of all of the acts and doings under the provisions of this act, which record or records shall at all times in seasonable hours be open to the public inspection for any and all persons interested in the same or in the school. The governor may at pleasure direct the State examiner of public accounts to inspect and report on all money expended by such board under this act.

Section 10. The State superintendent of education, with the board of control of said school, shall prepare a course of study to be pursued in said school in keeping with the intents and purposes of this act.

ARTICLE 28. AGRICULTURAL AND MECHANICAL INSTITUTE FOR NEGROES.

Section 1. The Huntsville State Normal and Industrial School later changed to the Agricultural and Mechanical College

for Negroes, shall hereafter be known as the Agricultural and Mechanical Institute for Negroes, and shall be under the direction and control of the State board of education.

Section 2. The State board of education shall make rules and regulations for the government of the school, and shall select the president and all members of the faculty, and shall fix the amount of salary and the term of service of each employee.

Section 3. The division of the fund to be received from the Federal government under the so-called Morrill Act between one college for white students and one institution for colored students, shall be based from year to year upon the ratio of the number of each race of legal school age to the total population of school age in the State of Alabama, as shown by the State school census next preceding the annual payment of the fund by the United States treasury.

Section 4. That portion of the grant of money received by the State of Alabama under the acts of Congress approved July 2, 1862, August 30, 1890, and March 4, 1907, and set apart in section 3 for the education of white students is appropriated to the Alabama Polytechnic Institute at Auburn, and that portion of the said grant herein set apart for the education of colored students is appropriated to the Agricultural and Mechanical Institute for Negroes at Normal.

Section 5. All appropriations that may be made to the Huntsville State Normal and Industrial School, or to the Agricultural and Mechanical College for Negroes, shall be available for the use of the said Agricultural and Mechanical Institute for Negroes and shall be paid out upon requisition of the State superintendent of education upon the State auditor who shall draw his warrant upon the State treasurer in favor of the treasurer of the school for the amount for which requisition is made.

ARTICLE 29. ALABAMA TECHNICAL INSTITUTE AND COLLEGE FOR WOMEN.

Section 1. The school heretofore established at Montevallo as the "Alabama Girls' Industrial School" later known as and called "The Alabama Girls' Technical Institute" is and shall remain a body corporate under the corporate name of "Alabama Technical Institute and College for Women" and by that name may sue and contract, acquire and hold real and personal property, and have and exercise all the powers of a corporation established to carry on a state educational institution of higher learning and shall succeed to all the rights, privileges, emoluments, benefits, interests, and titles heretofore at any time vested in said "Alabama Girls' Industrial School" and the "Alabama Girls' Technical Institute", respectively.

Section 2. The Alabama Technical Institute and College for women shall be governed by a board of trustees composed of the Governor, who shall be president, ex-officio, the superintendent of education, ex-officio, one trustee from each congressional district, and, until as otherwise herein provided, two trustees from the state-at-large. The terms of office of the trustees now in office are hereby extended to the third Monday in January of the years in which, under the law heretofore in force, they expire, respectively, and until their successors are appointed and qualified, respectively. Said trustees shall be arranged in three groups. Those for the first, fourth, seventh, and tenth congressional districts shall be group 1; those for the second, fifth, and eighth congressional districts and one for the state-at-large to be designated by the Governor, shall be group 2; those for the third, sixth, and ninth congressional districts, and the remaining one for the state-at-large, shall be group 3. Successors to those trustees in group 1, when their terms expire, shall be appointed for a term to end on the third Monday in January, 1931, and thereafter for a term of twelve years. Successors to those trustees in group 2, when their terms expire, shall be appointed for a term to end on the third Monday in January, 1935, and thereafter for a term of twelve years. Successors to those trustees in group 3, when their terms expire, shall be appointed for a term to end on the third Monday in January, 1939, and thereafter for a term of twelve years. In case of the creation and establishment of an eleventh congressional district in the State, the trustee in group 2, from the state-at-large, shall automatically cease to be a trustee from the state-at-large, and become for the remainder of his term trustee for such eleventh district and there shall remain but one trustee from the state-at-large; and, if an additional, twelfth, congressional district be created and established, such remaining trustee from the state-at-large, in group 3, shall automatically become a trustee for such twelfth district, and there shall be no trustee for the state-at-large, it being deemed inadvisable, in any event to increase the numerical force of the board. No vacancy of the office of a trustee shall be occasioned by the creation of new districts or change of district lines, except as hereinbefore provided for the elimination of state-at-large trustees; but all new appointees, except for the state-at-large, shall be, at the time of their appointment, residents of the district for which they are appointed, respectively. A vacancy in the office of trustees shall be occasioned by the change of residence of a trustee from the district from which he was appointed. All appointments of trustees shall be made by the Governor with the advice and consent of the senate. In case of a vacancy in the office of trustee, the governor shall appoint a successor, who shall hold office till the next meeting of

the legislature, when the governor, by and with the advice and consent of the senate, shall appoint a trustee, who shall hold office for the unexpired term. A trustee shall be ineligible to be elected by the board of trustees to any office pertaining to this institution. The trustees are entitled to receive payment of their actual expenses incurred in the discharge of their duties as such trustees.

Section 3. The Institute is established for the purpose of giving therein instruction in the liberal arts and sciences and in technical subjects suitable for women, and to this end the following academic and technical departments are established. 1. English, literature, expression; 2. mathematics, and astronomy; 3. history, and political economy; 4. education, psychology, sociology; 5. ancient languages; 6. modern languages; 7. chemistry, physics, geology; 8. biology, bacteriology, zoology; 9. physiology, sanitation; 10. agriculture, dairying, floriculture, horticulture; 11. art, painting, manual training; 12. home economics; 13. vocal and instrumental music; 14. commercial branches,—stenography, book-keeping, type-writing, telegraphy. Other departments or subjects may be well established from time to time by the trustees upon the recommendation of the president and faculty, that women may have the opportunity for general education and for special preparation for home making, extension service, teaching, and for becoming self supporting in trades and industries and in the business world.

Section 4. The faculty, with the approval of the trustees, may grant and confer diplomas, certificates or degrees upon such students as may be entitled thereto under the rules adopted by the trustees, governing this subject.

Section 5. The trustees shall elect a president for a term to be fixed by them, who shall not be removed during the term for which he is elected, except for just cause, which shall be explicitly set forth in writing in the minutes of the proceedings of the trustees and approved by a majority of all the trustees. No person shall be eligible to the office of president unless he is a graduate of some college or university of well known high standing, an educator by profession, of good moral character and possessing good business and administrative qualifications. The trustees shall fix the salary of the president before electing a person to the office, and shall not decrease the amount thereof during the term of office without the consent of the president.

Section 6. The president, with the advice and consent of the trustees, shall appoint and fix the compensation for all professors, associate professors, and other necessary teachers and officers. The president, professors, and associate professors shall compose the faculty of the Institute.

Section 7. The trustees of the Institute shall elect a secretary, who shall hold office for the term and receive such compensation as may be fixed by the trustees, and shall perform such services as may be required of him.

Section 8. The trustees shall elect a treasurer, who shall not be a trustee, who shall receive, hold, and pay out all moneys belonging to the Institute, or that may be paid in for the necessary expenses of any student in the Institute, or for her use and benefit, and the treasurer shall hold office for the term and receive such compensation as may be fixed by the trustees. Before entering upon his duties, the treasurer must give bond in such penalty as the trustees may fix, payable to "The Alabama Technical Institute and College for Women," with conditions that he will faithfully receive, safely keep, and lawfully pay out, and promptly, fully, and fairly account for all moneys or choses in action which may come to him by virtue of his office, and the trustees may require a new bond, or an additional bond, whenever they judge that the interest of the Institute requires it.

Section 9. Whenever the funds in the hands of the treasurer, or funds about to be received by him, are in danger of being lost, the trustees or president may remove the treasurer from office and take from him all funds and choses in action belonging to the Institute or any pupil therein, and may, in that event, appoint a temporary custodian with bond or security to hold such funds.

Section 10. The secretary, treasurer, and all other officers, agents, or servants of the Institute who are required to keep, use, or dispose of any property of the school, shall keep accounts of their transactions in books to be furnished them by the trustees, which shall at all times be open to the inspection and examination of the president, the trustees, or anyone appointed by the trustees thereto, and any person withholding such book or books belonging to the Institute from the inspection of any officer entitled to examine the same, shall be immediately removed from his office or employment by the president or trustees.

Section 11. Any white girl or woman residing in Alabama, of good moral character, in good health, and of sufficient physical and mental development, to be judged of by the president, who shall comply with all the requirements prescribed by the trustees, may be admitted into the Institute, and upon completing the course of study prescribed at the time of her admission, to the satisfaction of the faculty, shall receive the certificate, diploma, or degree she may have earned. Whenever the accommodations of the institute are sufficient to admit more students than apply from Alabama, then students from other states or counties may be received and instructed in the Institute upon such terms and conditions as may be imposed by the president or trustees.

Section 12. The property of the Institute, of every kind and description, shall forever be exempt from all taxes, municipal, county, or State, and from all local assessments. The president, teachers, officers, and employees are exempt from jury duty and from working the public roads or streets, and all employees are further exempt from the payment of town licenses for their labor while working for this institution.

Section 13. As far as may be practicable, students in the Institute shall be employed in giving assistance in any department of work of the Institute to enable them to obtain instruction therein, but students shall be employed only in cases and to the extent that they may be able to render efficient service without injury to themselves or to the Institute.

Section 14. All rights of property and action which may have accrued to the Institute before the adoption of this Act are confirmed and preserved, and no grant or gift of any valuable thing or right shall fail by reason of a mistake in the name of this corporation or institute; provided the intention to grant or give to the Institute may be derived from the words used in designating the beneficiary or grantee. All rights, powers, and remedies granted in and by an act to create and establish an industrial school in the State of Alabama for white girls, approved February 21, 1893, and any act amendatory thereof, are confirmed and preserved for the Alabama Technical Institute and College for Women.

Section 15. Whenever the Institute needs any land near the Institute for any purpose of the institution, and the owner thereof is a minor or an insane person, or refuses to sell the land to the State for the use of the Institute, or will not agree with the board of trustees or the president on a price therefor, the trustees shall have authority to institute in the probate court of Shelby county proceedings in the name of the State of Alabama, to condemn such land, which proceedings shall be conducted as nearly as may be possible in accordance with the provisions of sections 3860-3903 of the Code. It shall be the duty of the trustees to pay out of the funds of the Institute all costs of every condemnation proceeding instituted by them under the power hereby conferred.

Section 16. The annual legislative appropriation for the maintenance of the "Alabama Technical Institute and College for Women" shall be paid in quarterly installments on the first of October, January, April, and July of each fiscal year. The annual appropriation for the summer school shall be paid on the first of July in each fiscal year, and the appropriation for the erection of buildings and equipment shall be paid as prescribed in the act making the appropriation.

Section 17. The lands now owned by the institute, granted by the Congress of the United States to the State of Alabama for the use of this institution, shall only be leased or disposed of by the board of trustees, with the approval of the governor, provided, the board of trustees may delegate to an executive committee to be composed of three or more of its members, the right and power to lease or sell any of said lands, with the approval of the governor, and when any lease or sale shall have been made as herein provided, the governor, upon request of the board of trustees, or its executive committee, as the case may be, shall execute contracts of lease, or deeds of conveyance as may have been agreed on between the board, or its executive committee, and the lessee or purchaser. All the proceeds arising from the sale of lands shall be paid into the treasury of the State to remain forever as a fund for the use of the Institute, and upon which there shall be paid to the Institute interest at the rate of six percent, per annum, in quarterly installments.

Section 18. The proceeds of all lands sold or leased by the Alabama Technical Institute and College for Women shall be paid into the State treasury. The Institute, out of the money appropriated by the State legislature for the maintenance of the Institute, shall pay all the expenses of caring for, protecting, and selling the lands.

Section 19. On the last day of every quarter the State treasurer shall pay to the treasurer of the Alabama Technical Institute and College for Women, upon the order of the president of the Institute, interest at the rate of six percent, per annum, on the whole amount of the fund in the State treasury at the close of every quarter, arising from the sale of lands, and upon every sum paid into the State treasury before the current quarter upon which interest has never been paid; and all laws or parts of laws in conflict herewith are hereby expressly repealed, it being the purpose and intent of the State of Alabama to execute in good faith the trust reposed in it by Congress when granting the lands to the State for the benefit of the Institute and to preserve the proceeds arising from the lessee or sales of the lands of the Institute so granted by Congress as a fund forever, and to pay the interest thereon for the support and maintenance of the Institute.

ARTICLE 30. ALABAMA POLYTECHNIC INSTITUTE.

Section 1. The governor and the superintendent of education, by virtue of their respective offices, and the trustees appointed from the different congressional districts of the State, under the provisions of section 266 of the Constitution of 1901, and their successors in office, are constituted a body corporate

under the name of "The Alabama Polytechnic Institute," to carry into effect the purposes and intent of the Congress of the United States in the grant of lands by the act of July 2, 1862.

Section 2. Such corporation shall have all the rights, privileges, and franchises necessary to a promotion of the end of its creation, and shall be charged with all corresponding duties, liabilities and responsibilities.

Section 3. For the payment of the interest, at the rate of eight per cent per annum, on the fund of two hundred and fifty-three thousand and five hundred dollars, arising from the sale of the script for the land donated in trust to this State by the act of Congress of July 2, 1862, the faith and credit of the State are forever pledged.

Section 4. The board of trustees have the power to organize the institute by appointing a corps of instructors, who shall be styled the faculty of the institute, and such other instructors and officers as the interest of the institute may require; and to remove any such instructors or other officers, and to fix their salaries or compensation, and increase or reduce the same at their discretion; to regulate, alter, or modify the government of the institute as they may deem advisable; to prescribe courses of instruction, rates of tuition, and fees; to confer such academic and honorary degrees as are usually conferred by institutions of similar character; and to do whatever else they may deem best for promoting the interest of the institute. They shall also establish and maintain a military department in the institute, and elect a commandant and such other officers as may be necessary for the department.

Section 5. The trustees of the institute are divided into three classes, as follows: The trustees from the fourth, fifth, and seventh districts shall constitute the first class; those from the second, sixth, and eighth district shall constitute the second class; and those from the first, third, ninth and tenth districts shall constitute the third class; and they shall hold office, and their seats be vacated as prescribed by section 266 of the Constitution.

Section 6. Any vacancy in the office of trustee, occurring during the recess of the legislature, shall be filled by appointment of the governor, such appointee to hold until the next session of the legislature thereafter; such vacancy shall be filled by the governor, by and with the consent of the senate; and any trustee appointed to fill a vacancy by the governor, by and with the consent of the senate, shall hold during the unexpired term.

Section 7. The board of trustees shall hold their meetings at the Institute on the first Monday in June of each year, unless the board shall, in regular session, determine to hold its meetings at some other time and place; and upon the application in writing of any four members of the board, the governor shall appoint a

special meeting, naming the time and place thereof, and cause notices thereof to be issued to the several members of the board, but such meeting shall not be appointed for a day less than twenty days subsequent to the date of the notice.

Section 8. Six members of the board of trustees shall constitute a quorum, but a smaller number may adjourn from day to day until a quorum is present.

Section 9. The certificate of the president of the board, or, in his absence, of the president pro tempore, countersigned by the secretary, shall entitle the several trustees to the payment of their actual expenses incurred in the discharge of their duties as such trustees.

Section 10. No grant or gift, by will or otherwise, shall fail on account of any misnomer or informality, when the intent of the grantor or donor can be arrived at; nor shall any default, malfeasance, or misfeasance, or non-user, on the part of the trustees, or other officers or agents of such corporation, work a forfeiture, of any of its rights, privileges, powers, or franchises.

Section 11. It shall be the duty of the board of trustees to make, or cause to be made to the legislature, at each session thereof, a full report of their transactions, and of the condition of the institute, embracing an itemized account of all receipts and disbursements on account of the institution by those charged with the administration of its finances.

Section 12. The State treasurer must pay the interest on the fund of two hundred and fifty-three thousand and five hundred dollars arising from the sale of land script quarterly, as the same may accrue to the treasurer or other authorized agent, or officer of the institute; and on the application of the treasurer, agent, or officer, the State auditor shall draw his warrant on the State treasurer for such interest; but in no case shall any person be authorized to receive, hold, or disburse any fund of the institute, without first having given bond conditioned for the faithful performance of his duties.

Section 13. The annual legislative appropriation for the support and maintenance of the Alabama Polytechnic Institute shall be paid out on requisition of the president and treasurer of said Polytechnic Institute, and the special appropriation for additional buildings and equipment shall be paid on the requisition of the president and treasurer of said Polytechnic Institute with the approval of the governor.

ARTICLE 31. UNIVERSITY OF ALABAMA.

Section 1. The governor and the superintendent of education, by virtue of their respective offices, and the trustees heretofore appointed from the different congressional districts of the

State under the provisions of section 264 of the Constitution, and such other members as may be from time to time added to the board of trustees and their successors in office, are constituted a body corporate under the name of "The board of trustees of the University of Alabama", to carry into effect the purposes and intent of the Congress of the United States in the grant of lands by the act of April 20, 1818, and of the act of March 2, 1819, to this State, to be by it held and administered for the benefit of a seminary of learning.

Section 2. Such corporation shall have all the rights, powers, and franchise necessary to or promotive of the end of its creation, and shall be charged with all the corresponding duties, liabilities, and responsibilities.

Section 3. Such corporation may hold, and may lease, sell, or in any other manner not inconsistent with the object or terms of the grant or grants under which it holds, dispose of any property, real or personal, or any estate or interest therein, remaining of the original or any subsequent grant by Congress, or by this State, or by any person, or accruing to the corporation from any source, including also the proceeds of the "University Fund", as to it may seem best for the purposes of its institution.

Section 4. The fund designated in the preceding section as the University fund consists of the sum of thirty-six thousand (\$36,000) dollars per annum as interest on the funds of the University of Alabama heretofore covered into the State treasury, for the support and maintenance of said institution and such further sum as may be appropriated by the legislature.

Section 5. No grant or gift, by will or otherwise, shall fail on account of any misnomer or informality, when the intention of the grantor or donor can be ascertained; nor shall any default, malfeasance on the part of the trustees or other officers or agents of such corporation, work a forfeiture of any of its rights, powers, privileges, or franchises.

Section 6. In addition to the rights, properties, privileges, and franchises herein granted, all rights, properties, privileges, and franchises heretofore, by any act of the legislature, granted to or vested in the University of Alabama, shall vest and continue in such corporation.

Section 7. The board of trustees have the power to organize the university by appointing a corps of instructors, who shall be styled the faculty of the university, and such other officers as the interest of the university may require; to remove such instructors or officers, and to fix their salaries or compensation, and increase or reduce the same at their discretion; to institute, regulate, alter, or modify the government of the university, as they may deem advisable; to prescribe courses of instruction, rates of tuition, price of board, and regulate the necessary expenses of

students; and to confer such degrees as are usually conferred by similar institutions. They may delegate to the faculty of the university, or other officers, such powers and functions in the government of the students, and in the administration of the affairs of the university, as they may deem proper; but in no case shall any person be authorized to receive, hold, or disburse any funds of the university without having first given bond, conditioned for the faithful discharge of his duties; and no person shall be excluded from the full benefit of the university fund, or placed at any disadvantage in the pursuit of his studies, who possesses the requisite literary or other qualifications, and is willing to submit to the discipline prescribed for the students.

Section 8. The State university shall be under the control of the board of trustees, which shall consist of two members from the congressional district in which the university is located, and one from each of the other congressional districts in the State, the superintendent of education, and the governor, who shall be ex-officio president of the board. The members of the board of trustees, as now constituted, shall hold office until their respective terms expire under existing law, and until their successors shall be elected and confirmed, as hereinafter required. Successors to those trustees whose terms expire in nineteen hundred and two shall hold office until nineteen hundred and seven; successors to those whose terms expire in nineteen hundred and four shall hold office until nineteen hundred and eleven; successors to those trustees whose terms expire in nineteen hundred and six shall hold office until nineteen hundred and fifteen; and thereafter their successors shall hold office for a term of twelve years. When the term of any member of such board shall expire, the remaining members of the board shall, by secret ballot, elect his successor, provided, that any trustee so elected shall hold office from the date of his election until his confirmation or rejection by the senate, and, if confirmed, until the expiration of the term for which he was elected, and until his successor is elected. At every meeting of the legislature the State superintendent of education shall certify to the senate the names of all who have been so elected since the last session of the legislature and the senate shall confirm or reject them as it shall determine for the best interest of the university. If it reject the names of any member it shall thereupon elect trustees in the stead of those rejected. In the case of a vacancy on said board by death or resignation of a member, or from any cause other than the expiration of his term of office, the board shall elect his successor, who shall hold office until the next session of the legislature. When the name of a successor or successors elected by said board to fill the vacancy or vacancies so occasioned shall be certified by the State superintendent of education to the senate, and the sen-

ate shall confirm, or reject, as it shall determine is for the best interest of the University; and if confirmed by the senate, the person, or persons so elected to fill said vacancy shall hold office for the unexpired term to which he is so elected. If the senate rejects the name of any person to fill said vacancy, it shall thereupon elect some person or persons in the stead of those rejected. No trustee shall receive any pay or emolument other than his actual expenses incurred in the discharge of his duties as such.

Section 9. Five members of the board of trustees, exclusive of the ex-officio members, shall constitute a quorum, and every member present shall be required to vote, and a majority of those present shall govern. At their first meeting, the board shall elect one of their number president pro tempore, who shall preside in the absence of the governor, and shall hold the position until the next annual or special meeting, when another president pro tempore shall be elected.

Section 10. The board of trustees shall meet at least once in each year, and on the first Wednesday in June, unless some other day is selected by them, and they may, by ordinance or resolution adopted by them, prescribe other regular times for meeting. At such meeting they may continue in session as long as they may deem proper for the welfare of the institution, and may at any session appoint a special or adjourned meeting. Upon the written application of four members, or of any three members with his concurrence, the president pro tempore shall appoint a special meeting, and issue notice thereof to the several members; but such special meeting shall not be appointed for a day less than twenty days subsequent to the date of the notice. In case there is no president pro tempore of the board, or in case he is incapacitated to act, then the governor, as president of the board, shall, upon the written application of four members, in like manner call such special meeting. Regular meetings of the board must be held at the university, but special or adjourned meetings may be held at the university or in the city of Montgomery, or in the city of Birmingham.

Section 11. The proceedings of the board of trustees must be recorded in a substantially bound book, which must be kept in the archives of the university; and the board may at any meeting employ a secretary. The certificate of the president, or in his absence, of the president pro tempore, countersigned by the secretary, if there be one, shall entitle the several trustees to their constitutional pay out of the treasury of the university; and the compensation of the secretary and the necessary incidental expenses of the board at each session shall be paid on the order of the board, and the certificate of the president, or president pro tempore, as the case may be, out of such treasury.

Section 12. It shall be the duty of the board of trustees to make to the legislature, at each session thereof, a full report of their transactions, and of the condition of the university, embracing an itemized account of all receipts and disbursements on account of the university by those charged with the administration of its finances.

Section 13. The state treasurer must, quarterly, on the last day of December, March, June and September of each year, pay the "university fund," as defined by section 1872 (3670) of the Code, to the treasurer or any authorized agent of the university; and on the application of such treasurer or agent, the State auditor shall draw his warrant on the State treasurer for the amount due; such payments to commence on the days specified after the present Constitution becomes operative. Appropriations subsequently made shall be paid in like manner unless otherwise prescribed.

Section 14. The right is reserved to the legislature to revise or amend the provisions of this article, and by virtue of the character of the trust conferred by the act of Congress to intervene, and, by special enactment, to direct and control the board of trustees in the discharge of their duties and functions.

Section 15. The justices of the Supreme Court are authorized from time to time to set apart and turn over to the law department of the university, copies of such second hand or superseded law books, known as text-books, as they may deem expedient, the marshal and librarian taking proper receipts therefor.

Section 16. The Secretary of State shall supply to such law department ten copies of the Code of Alabama and ten copies of each volume of the current reports of the Supreme Court, as the same may, from time to time, be published.

Section 17. The president of the university has authority to appoint or employ one or more suitable persons to act as police officers to keep off intruders and prevent trespass upon and damage to the property of the university. Such person shall be charged with all the duties and invested with all the powers of police officers, and may eject trespassers from the university buildings and grounds, and may, without warrant, arrest persons guilty of disorderly conduct, or of trespass on the property of the institution, and carry them before the nearest justice of the peace or other officer charged with the trial of such offenders, before whom, upon proper affidavit charging the offense, such person so arrested may be tried and convicted as in case of persons brought before him on a warrant; and such officer or officers shall have authority to summon a posse comitatus.

Section 18. The board of trustees of the University of Alabama may sell, lease, or otherwise dispose of, all or any part of

such land as has been or may be selected under and by virtue of an act of Congress entitled, "An Act to increase the endowment of the University of Alabama from the public school lands in said State," approved April 23, 1884; and may sell lands or any interest therein or part thereof for such prices and upon such terms as to them may seem proper. Such sales may be for cash or for part cash, and the said board of trustees of the University of Alabama shall not be limited by any statute heretofore enacted as to what part of the purchase price of such lands which they have heretofore sold or may hereafter sell shall be in cash, but the percent of the purchase price of such lands that may have been or shall be in cash, shall be such as said board of trustees of the University of Alabama may agree upon with the purchaser or purchasers.

Section 19. The board of trustees of the University of Alabama may create an executive committee consisting of three or more of the trustees composing the said board upon which committee it may confer full power and authority to lease, sell, and convey such lands or any part thereof, or any interest therein, as fully as said board of trustees of the University of Alabama could itself do.

Section 20. All sales, agreements to sell, leases, and other dispositions of such lands, or any part thereof, or any interest therein, heretofore made or attempted to be made by the board of trustees of the University of Alabama, or by any executive committee by it created, irrespective of the per cent of the purchase price which may have been paid in cash, are satisfied and confirmed, and shall be binding upon the board of trustees as fully as if the same were made after the 28th day of February 1907, and in cases where the same were made by an executive committee, as if the same were made by the board of trustees of the University of Alabama.

Section 21. The corporation styled The Medical College of Alabama is dissolved and the institution known as the Medical College of Alabama is constituted the Medical Department of the University of Alabama and shall hereafter be under the sole ownership, management and control of the board of trustees of the University of Alabama. All appropriations in money made for the aid of the medical college shall inure to the benefit of the said Medical Department of the University of Alabama and shall be paid to the trustees of the University of Alabama for the use and benefit of said medical department, and any appropriation for the maintenance and equipment of the graduate school of medicine of the University of Alabama at Birmingham, Alabama, shall be paid by the State treasurer in equal quarterly installments on the first day of January, April, July and October, to the treasurer of the University of Alabama upon warrants drawn

by the State auditor as warrants are drawn for other appropriations to the University of Alabama or to the board of trustees of the University of Alabama, but such money shall be used exclusively for the graduate school of medicine of the University of Alabama at Birmingham.

ARTICLE 32. CEMENT LABORATORY.

Section 1. The testing laboratory of the University of Alabama is the official testing laboratory for cement and other materials of construction.

ARTICLE 33. SUMMER SCHOOL.

Section 1. The trustees of the University of Alabama may establish at that institution a school to be known as the summer school for teachers, at which during the summer months instruction shall be given in all the public school studies and in such other studies as may be necessary to better prepare teachers for efficient service in the public schools of this State.

Section 2. The summer school for teachers at the University of Alabama shall be maintained and supported by the annual legislative appropriation for that specific purpose.

Section 3. The amount of the annual Legislative appropriation shall on the first day of July of each year, be paid by the State treasurer to the treasurer of the University of Alabama, on warrants drawn by the State auditor as warrants are drawn for other appropriations to the University. Appropriations subsequently made shall be paid in like manner, unless otherwise prescribed. The trustees of the University shall report in writing to the Legislature at each regular session thereof the manner in which the appropriation has been expended.

Section 4. No matriculation or tuition fee shall be charged to Alabama teachers, and no incidental fee exceeding three dollars per session shall be charged any Alabama teachers.

Section 5. The State board of examiners for teachers, upon written request of the Director of the summer session, shall conduct or have conducted, annually, at the university, at the close of the summer school for teachers, an examination for the convenience of teachers attending that school. The examination shall be equal in all respects to the regular examination required by law. The same fees shall be charged, and the examination shall be conducted under the same rules and regulations.

ARTICLE 34. STATE COUNCIL OF EDUCATION.

Section 1. In order to co-ordinate the educational efforts of the University of Alabama, the Alabama Polytechnic Institute,

and the Alabama Technical Institute & College for Women, there is hereby created a State Council of Education to be composed of the governor, who shall be chairman, two members of the State board of education, the State superintendent of education, the president of the University of Alabama, the president of the Alabama Polytechnic Institute, the President of the Alabama Technical Institute and College for Women, and one member of the board of trustees from the University of Alabama, the Alabama Polytechnic Institute, and the Alabama Institute and College for Women, respectively. The members of the State Council of Education from the State board of education shall be chosen by the State board of education and the members from the boards of trustees of each of the three institutions of higher learning shall be selected by the respective boards of trustees. The State superintendent of education shall be the secretary of the State Council of Education.

Section 2. The State Council of Education shall study the needs of higher education and of education in general throughout the State and shall endeavor to encourage the healthful development of all educational agencies and to allocate wisely among the existing agencies the different portions of the task of training in so far as may not be inconsistent with the powers and duties of the board of trustees of the three institutions of higher learning and of the State board of education as prescribed by the Constitution of the State and by law.

Section 3. The State Council of Education shall have authority to associate with it two advisory boards, one composed of delegates representing the agricultural, commercial, industrial, and similar organizations of the State whose duty it shall be to assist in the investigations of the Council and to enlist the co-operation of the several agencies in the improvement of the economic condition of the State, including the schools; the second composed of representatives of the Alabama Educational Association, the State Association of Colleges, and similar organizations whose duty it shall be to promote the internal work of the schools, to develop a wholesome professional spirit and to promote the cause of education within the ranks of the profession.

Section 4. The State Council of Education shall have authority to make rules and regulations governing the time of meeting and to take such other action, not inconsistent with law, as may be deemed necessary to carry out the provisions of this article.

ARTICLE 35. ALABAMA INSTITUTE FOR THE DEAF.

Section 1. There is established in this State and located at Talladega an institution for the education of the deaf, called the Alabama School for the Deaf.

Section 2. The Governor, the State superintendent of education, and twelve other persons, appointed as hereinafter provided, are made a body corporated with the rights of succession forever, by the name of the Alabama School for the Deaf; and such corporation may acquire and hold property; real and personal, by gift, devise, or any other manner, for the purpose of its creation; may sue and contract; may have and use a common seal; break or alter the same at pleasure, and may have all the powers necessary and proper to accomplish the purposes of this article.

Section 3. Such board of trustees shall consist of the governor, the State superintendent of education, and twelve other persons, who shall be appointed by the Governor and confirmed by the senate at the meeting of the Legislature next following such appointment; and if any appointment by the Governor is rejected by the senate, the Governor must again appoint until the full number of appointments at such time is complete; and in case of a vacancy on said board of death or resignation of a member, or from any cause other than the expiration of his term of office, the Governor may fill the vacancy by appointment, which shall be good until the next meeting of the Legislature, and until his successor is duly appointed and confirmed. Each trustee shall hold office for a term of six years. The board shall consist of three members from the congressional district in which the school is located, and one from each of the other congressional districts in the State. The three members from the district in which the school is located shall be appointed from Talladega County. The board shall be divided into three classes. The members from the first, second, third, and one member from the fourth district, shall compose the first class. The members from the fifth, sixth, tenth and one member from the fourth district, shall compose the second class. The members from the seventh, eighth, ninth, and one member from the fourth district, shall compose the third class. Successors to those trustees whose terms expire in 1920 shall hold office until 1926; successors to those trustees whose terms expire in 1922 shall hold office until 1928; successors to those trustees whose terms expire in 1924 shall hold office until 1930; and thereafter their successors shall hold office for a term of six years; and the members of the board of trustees, as now constituted and elected, shall hold office until their respective terms expire under existing law; and until their successors are appointed and confirmed as herein required. No trustees shall receive any par or emolument other than his actual expenses incurred in the discharge of his duties as such. These twelve persons, and the Governor and the Superintendent of education, constitute a board of trustees who shall have entire management and control of such institution.

Section 4. A majority of such board may act, and may meet and adjourn from time to time as, in their judgment, the interest of the institution may require. They must appoint a secretary and keep a complete record of all their proceedings in a well-bound book; and they shall also appoint a treasurer, who shall not be a trustee, who shall give bond in such amount as the board may determine, and with such duties as they may deem sufficient, for the faithful discharge of his duties as such treasurer; and he and his sureties shall be responsible for all funds which may come into his hands by virtue of his office.

Section 5. The treasurer must pay over such funds as may come into his hands as such on the written order of the principal of the school, countersigned by the secretary and recorded in the minutes or records of the proceedings of the board, kept by such secretary, and the treasurer shall make a full report at the close of the fiscal year, and oftener, if required by the Governor.

Section 6. The board must appoint from their number a president, and they must also appoint a principal teacher for such institution, who may nominate to the board such other assistants in the institution as he may think necessary for its successful management, such board having power of confirmation or rejection. The board must fix the amount of compensation for each of the officers and teachers, and the time of payment.

Section 7. The object of such school shall be to afford the means of education to the deaf of the State. All deaf children of the State between the ages of seven and twenty-one who are of sound mind, free from disease, and of good character, may be admitted to the benefits of this school. All applicants must make satisfactory proof to the board of trustees that they are citizens of the State, and that they are proper candidates for admission. Proof may be made by the applicant in person or by next best friend or by affidavit of any person cognizant of the facts, before the probate judge or notary public. The length of time which any pupil may continue in school shall not exceed ten years. Provided, however, that the board of trustees may increase the term of a pupil from year to year upon recommendation of the principal, to not exceeding four additional years, and no pupil shall be retained in school after having passed the age of twenty five. No pupil shall be retained in school after it has been ascertained that such pupil has ceased to make progress or is not being benefited. Any pupil may be dropped at any time for cause by the board of trustees.

Section 8. The board may select from their number an executive committee of three, subject to change and removal by the majority of the board at any time; and such committee is authorized to meet and transact any business that may be transacted by

a majority of the board; and whatever acts such committee may do shall be considered as done by the whole board.

Section 9. The annual legislative appropriation for the support and maintenance of the Alabama School for the Deaf shall be based upon the number of pupils enrolled on the first day of January of each year, and shall be drawn quarterly in advance by the treasurer of the board and disbursed as directed by the said board.

Section 10. The board of trustees must provide good and sufficient insurance payable to the State of Alabama upon the property of the State and under their control, and keep and maintain such property in good repair, and for this purpose shall expend so much as may be necessary of the annual legislative appropriation.

ARTICLE 36. ALABAMA ACADEMY FOR THE BLIND.

Section 1. There is established in this State and located at Talladega, an institution for the education of the blind, called the Alabama School for the Blind.

Section 2. Such institution is under the control and management of the board of trustees of the Alabama School for the Deaf, who may prescribe rules and regulations for the conduct of the same. The principal of the Alabama School for the Deaf is the chief executive officer.

Section 3. The object of such school shall be to afford means of education to the blind of the State. All blind children of the State between the ages of seven and twenty-one who are of sound mind, free from disease, and of good moral character may be admitted to the benefits of this school. All applicants must make satisfactory proof to the board of trustees that they are citizens of the State, and that they are proper candidates for admission. Proof may be made by the applicant in person, or by next friend, or by affidavit, or by affidavit of any person cognizant of the facts, before a probate judge or notary public. The length of time which any pupil may continue in school shall not exceed ten years; provided the board of trustees may increase the term of any pupil from year, to year upon the recommendation of the principal, not to exceed four additional years. And no pupil shall be retained in school after having passed the age of twenty-five. No pupil shall be retained in school after it has been ascertained that such pupil has ceased to make progress or is not being benefited. Any pupil may be dropped at any time for cause by the board of trustees.

Section 4. The annual legislative appropriation for the maintenance and support of the Alabama School for the Blind shall be based upon the number of pupils enrolled on the first day of

January of each year and shall be drawn quarterly in advance by the treasurer of the board and disbursed as directed by said board.

Section 5. All officers and teachers of such institutions must be appointed, and the salaries fixed and paid in like manner as the officers and teachers of the Alabama School for the Deaf are appointed and their salaries are fixed and paid.

Section 6. All laws now in force or hereafter enacted relating to the admission of pupils and the management and control of the Alabama School for the Deaf are applicable to the Alabama School for the Blind except so far as such laws may be inconsistent with the provisions of this article.

ARTICLE 37. ALABAMA SCHOOL FOR NEGRO DEAF MUTES AND BLIND.

Section 1. There is established in this State and located at Talladega, an institution for the education of negro deaf and blind, called the Alabama School for Negro Deaf and Blind.

Section 2. Such institution is under control and management of the board of trustees of the Alabama School for the Deaf, who may prescribe rules and regulations for the conduct of the same. The principal of the Alabama School for the Deaf is the chief executive officer.

Section 3. The object of such school shall be to afford the means of education to the negro deaf and blind of the State. All negro deaf and blind children between the ages of seven and twenty-one who are of sound mind free from disease, and of good character may be admitted to the benefits of school. All applicants must make satisfactory proof to the board of trustees that they are citizens of the State, and that they are proper candidates for admission. Proof may be made by the applicant in person, or by next friend, or by affidavit of any person cognizant of the facts, before a probate judge or notary public. The length of time which any pupil may continue in school shall not exceed ten years; provided, the board of trustees may increase the term of a pupil from year to year upon the recommendation of the principal, to not exceeding four additional years. No pupil shall be retained in school after having passed the age of twenty-five. No pupil shall be retained in school after it has been ascertained that such pupil has ceased to make progress, or is not being benefited. Any pupil may be dropped at any time for cause by the board of trustees.

Section 4. The annual legislative appropriation for the support and maintenance of the Alabama School for Negro Deaf and Blind shall be based upon the number of pupils enrolled on the first day of January of each year, and shall be drawn quarterly

in advance by the treasurer of the board and disbursed as directed by said board.

Section 5. All laws now in force or hereafter enacted relating to the admission of pupils and the management and control of the Alabama School for the Deaf, are applicable to the Alabama School for Negro Deaf and Blind, except so far as such laws may be inconsistent with the provisions of this article.

ARTICLE 38. ALABAMA BOYS INDUSTRIAL SCHOOL.

Section 1. There is established a reformatory and industrial school, under the name and style of the "Alabama Boys Industrial School" which is a body corporate, and, as such, shall have perpetual succession may sue and may have and use a common seal, which it may change or alter at its pleasure and may acquire by purchase, or by condemnation proceedings in the probate court of Jefferson County, in the name of the State of Alabama, such property real and personal, as may be necessary or proper for its purposes and may have and exercise all such powers and privileges as may be necessary or proper for carrying out the purposes of its organization, as herein declared.

Section 2. The business, property, and affairs of the corporation shall be under the management and control of a board of directors, which shall consist of seven women and the governor, the State superintendent of education, the commissioner of agriculture and industries, and the attorney-general of the State who shall be ex-officio directors. The women constituting the first board of directors shall be nominated by the governor and confirmed by the senate, and those thus nominated and confirmed shall hold, two for two years, two for four years, and three for six years. Those holding for these respective terms to be designated by the governor in making nominations therefor to the senate. Thereafter the women members of said board shall be elected by the continuing members thereof at the expiration of their respective terms; and all vacancies caused by death, resignation, or otherwise, shall be filled by the board. The term of office of each member of the board, after the expiration of the first term, shall be for six years.

Section 3. The board of directors shall elect a president, vice-president, secretary, and treasurer, and such other officers, agents, and employees as to them shall seem necessary or expedient whose term of office or employment shall be for such time as the board may prescribe; and the board may remove any such officer, agent or employee at any time, with or without cause. The board may also fill all vacancies occurring in any such offices.

Section 4. The board of directors may make such by-laws, rules, and regulations not inconsistent with the laws of this State, as shall be necessary or expedient for the government and management of said institution, and of its officers, agents, and employees, with power to alter, modify, change or repeal the same.

Section 5. The board shall meet annually at such time and at such place as may be prescribed by the by-laws; and special meetings may be held at the call of the president, or of the governor or of a majority of the women directors, upon such notice as may be prescribed by the by-laws.

Section 6. Said school shall receive, care, and provide for the welfare of white boys between the ages of six and eighteen who by their course of conduct or surroundings, are likely to become base or criminal or hurtful to the State or the best interests of society to be committed to the keeping of said school under the provisions of this article, or who may be voluntarily committed to its keeping by the parent or parents, or person having them in charge, or who, having no parent, guardian, or other person to care for them, voluntarily commit themselves to its keeping.

Section 7. Any justice of the Supreme Court, Chancellor, judge of probate, circuit judge or judge of any city or criminal court of this State may cause to be brought before him, upon his own motion or the sworn complaint of another, any white boy between the ages of six (6) and eighteen (18) years, who may come within any of the following descriptions, to-wit; Any white boy who is begging, or any one who is offering for sale or selling anything as mere cover for begging; any who have been abandoned by their parents, or who have abandoned their parents and homes, and have no visible means of support any who do not attend the public schools, and idle away their time in the streets, without any actual occupation or means of support, any who are orphans, and have no sufficient or proper guardian to care for their physical, moral, and mental welfare, to insure the child against pauperism and crime; any who may be found destitute, or whose parents are both drunkards, or whose mother is a drunkard, lewd, or in prison; and such child is not supported and controlled; any who shall have been arrested and brought before police courts repeatedly for petty offenses, and shall appear to be beyond control of parents. When any such child is brought before such judge, he shall proceed, at such time as he may appoint, to investigate the condition and surroundings of such child, and upon such investigation, if he shall be satisfied that the child comes within any one of said descriptions, and that it would be for the interest of such child that he be committed to said institution, he will make an order to that effect and commit the child to said institution, to be held and provided for under its rules and

regulations. At any such investigation, the judge holding the same shall allow any one to appear for the child and resist such commitment; and he shall not make any such commitment if the parent, guardian or a person who is related to the child within the fourth degree, and sufficiently qualified in his opinion to take care of and provide for the child, will appear and agree in writing to take care of and provide for the child until he shall arrive at the age of sixteen (16) years.

Section 8. Any child brought before any judge for such commitment or any person for such child, may within five days, appeal from the decision of the judge committing him, to the circuit or city court held in the county in which such investigation is had, upon giving bond, with sufficient sureties, to be approved by the Judge, and in such sum as may be fixed by him, to have the child forthcoming when the appeal is heard; and if the appeal be taken by any person for the child, the bond shall further provide for the maintenance of the child until said appeal is disposed of. If, upon the hearing of the appeal, the decision of the judge causing the commitment is sustained, the child shall be committed by the court to said institution; but if that decision is not sustained, the child shall be discharged. And the judge before whom such investigation is made, or to be made, may issue all process that may be necessary to have the child brought before him, or for commitment; and such process shall be executed by the sheriff of the county.

Section 9. Any child committed to said institution under the provisions of this article shall be kept therein until he arrives at the age of twenty-one (21) years, unless sooner dismissed therefrom by the order of the board of directors, or in pursuance of any by-laws of the institution or by order of the governor of the State.

Section 10. The ex-officio members of the board shall at least once a year visit the institution and examine into its management and condition; and at each session of the Legislature they shall make to that body a report touching the institution and its management and condition.

Section 11. When any white boy between the ages of seven (7) and sixteen (16) years shall have been tried and convicted of any crime punishable by imprisonment in the penitentiary, or in jail, or by hard labor for the county, before any court of this State, the court may, if of the opinion that the interests of the child would thereby be promoted, sentence such child to commitment to said school, in lieu of such imprisonment, or hard labor for the county.

Section 12. Said institution may, in its discretion, receive any child placed in its care and keeping by its parent or parents,

without the authority of any court, and may keep said child until it is twenty-one (21) years of age; but this shall be done without first making provisions for the maintenance of said child under the rules and regulations of said institution.

Section 13. From the time of the lawful reception of any child into the institution, and during its stay, said institution shall have the exclusive care, custody; and control of the child, under such rules and regulations as the board of directors may provide.

Section 14. The officers of said school shall receive and take into it all children committed thereto by competent authority, or received therein as aforesaid, and shall cause all children in the school to be instructed in such branches of useful knowledge as may be suited to their years and capacities. The boys shall be taught such useful trades as the board may direct, and they shall be taught according to the course of the public schools of the State.

Section 15. The treasurer of the school shall, before entering upon the discharge of the duties of office, execute bond, payable to the "Alabama Boys', Industrial School" with good and sufficient sureties, and in such sum as the board of directors may prescribe, and with condition to faithfully discharge the duties of his office.

Section 16. Any commitment under this article, whether by judge, court, or parent, or other person having in charge the child, shall be full sufficient, and competent authority to the officer's and agents of said school for the detention and keeping therein of the child so committed.

Section 17. Provision shall be made for the care of convict children, separate and apart from the other children, so far as the same can be done with the means at hand.

Section 18. The annual legislative appropriation for the support and maintenance of the Alabama Boy's Industrial School shall be based upon an affidavit of the treasurer or other executive officer of said school made at the beginning of each quarter, showing the number of inmates of said school during the preceding quarter. The State auditor is authorized and directed to draw his warrant quarterly on the State treasurer in favor of the treasurer of the Alabama Boys' Industrial school for the payment of said amounts. Any special legislative appropriation for the purchase of land, for the erection and equipment of buildings, or for any other purpose shall be paid out under the authority of the board of directors, and the State auditor is authorized to draw his warrant on the State treasurer for the amounts of said appropriations upon requisition of the Governor.

ARTICLE 39. THE ALABAMA REFORM SCHOOL FOR JUVENILE NEGRO LAW BREAKERS.

Section 1. The Alabama Reform School for Juvenile Negro Lawbreakers located at Mt. Meigs, Montgomery County, Alabama, shall be governed and controlled by a board of trustees composed of the governor, the State Superintendent of education and seven other trustees; five of whom may be negro women who are interested in the proper education and training of juvenile negro law breakers, to be appointed by the governor by and with the advice and consent of the senate.

Section 2. The school shall be a corporation named and called The Alabama Reform School for Juvenile Negro Lawbreakers, and by that name may acquire and hold real and personal property, contract and sue, and have all other powers necessary for conducting such an educational institution.

Section 3. The school is established for the proper education and training of juvenile negro lawbreakers, as may be lawfully committed to it. The course of instruction in the school shall include a common school education, with a thorough training in agriculture and industries, and giving special attention to moral training so as to make him a self respecting, industrious good citizen. Provided, that no criminal over the age of fifteen (15) years shall be admitted to said institution.

Section 4. The board of trustees accept the land and buildings at Mount Meigs where the reformatory is now located, and known as the "reformatory for negro boys", under the management of the State federation of colored women's clubs, incorporated under the laws of Alabama. The board of trustees shall take care of the property and school and manage and control it under this act. The term of office of two of the men and two of the women first appointed under this Act, shall expire on Monday after the second Tuesday in January, 1913, and their successors shall hold the full term of eight years. The other trustees appointed under this act shall hold office of trustees until Monday after the second Tuesday in January 1915, and their successors shall hold office for a term of eight years. If any trustee should die, or resign the governor shall appoint a successor to hold for the unexpired term. All trustees for the school shall be appointed by the governor by and with the consent and advice of the Senate.

Section 5. The trustees shall have the power to govern and control the school in all things, to prescribe the qualifications of the officers and teachers, fix their terms of office, and elect them to and remove them from office whenever the good of the school requires it. They shall have the power to require of any officer

or agent of the school a bond and the power to fix the penalty and prescribe the conditions thereof.

Section 6. The authorities of the school shall receive every negro boy who may be committed to it by an order or judgment of any court of record to the State of Alabama and support, govern and teach the boy until he shall be of the age of eighteen (18) years or legally discharged from the school.

Section 7. Inasmuch as the trustees have accepted a proper deed from the "State Federation of Colored Women's Clubs," a corporation, to twenty (20) acres of land and all improvements situated thereon, the said trustees are hereby authorized to buy such other lands and buildings in connection with said institution as they may deem proper, having regard to the healthfulness of the location, its surroundings, and accessibility to the railroad; and shall have authority to erect thereupon any and all buildings, structures or machinery of every kind, suitable and necessary for the use and maintenance of the school.

Section 8. The per capita appropriation for the support and maintenance of the school shall be paid monthly upon the sworn statement of the president of the school and approval by the governor, out of the State treasury. The expenses for transporting any boy to the school, including the expenses of one guard, shall be paid out of the State treasury upon the sworn statement of the president of the school with the approval of the governor.

Section 9. The board of trustees in charge of said school, are hereby given power and authority to make all such rules and regulations as may be needful for the successful operation of said school and for the employment of all such guards as may be necessary in the successful management and control of said school, and to fix the salaries to be paid such guards and to limit the number thereof, which salaries shall be paid monthly upon the sworn statement of the president of the school and approved by the governor, out of the State treasury.

Section 10. The earnings and all other revenue derived from whatever source, shall be delivered to the board of trustees and used by such board for such purpose as such board of trustees may deem proper. Or such earnings may at the discretion of the said board of trustees, be paid in whole or in part, into the State Treasury.

ARTICLE 40. SCHOOL LANDS, LEASE AND SALE.

Section 1. School lands, within the meaning of this Code, are sections numbered sixteen, in every township granted by the United States for the use of schools in the township, and such

other lands as may have been granted to any township or district for the use of schools; and all such lands are vested in the State in trust to execute the objects of the grant.

Section 2. The State superintendent of education is authorized and empowered to sell and dispose of all school lands or any part of the timber thereon, together with those which have been heretofore or may hereafter be certified to the State for the use and benefit of the several townships or districts in which was a deficiency in the amount of land originally certified to the State for their benefit, subject to the approval of the governor.

Section 3. No school lands, except indemnity lands, shall be sold without the consent of the inhabitants of the township or district in which such lands are located. Said consent shall be obtained and shown by a petition in writing addressed to the State superintendent of education requesting and consenting to the sale of such lands signed by a majority of the legally qualified voters of the township or district. This petition must be verified by the affidavit of at least three of the signers, certifying that a majority of the inhabitants of the township or district in which the lands are situated desire a sale thereof and that the persons making and signing said petition constitute a majority of the qualified electors residing in said township or district.

Section 4. If any purchaser fails to make the payment or to give his notes with approved securities, and secured by a mortgage on the land, as required, the land bid off by him must be immediately resold, if practicable, but if not practicable to make the resale at once, it may be resold at a future day, as if no sale had been made, but the requirements prescribed in Section three (3) of this article must be complied with de novo.

Section 5. The proceeds arising from such sales, after the payment of all proper costs and expenses thereof, shall be, by the State superintendent of education, paid into the State treasury to the credit of the counties, townships, or school districts to which the same may belong in the proportion of their interests therein, so as to carry out the object and purposes of the original grants, gift, or laws by which such lands were acquired for school purposes, as nearly as practicable under the existing school laws.

Section 6. All notes taken by the State superintendent of education for the purchase of such lands must be secured by mortgage and must be held by him until the same are due, and if not then paid, may be placed with the Attorney-General for collection.

Section 7. Such sales may be made from time to time, at public or private sale, as in the judgment of the State superintendent of education shall best promote the interests of the school fund of the State, and shall be for cash, or part cash and part

on time, as the State superintendent of education and the Governor may deem best; but in no case shall there be less than one-fourth of the purchase money paid in cash, and the remainder may be payable in yearly installments to extend over a period of not more than three years, and shall be secured by notes with securities and by mortgage on the land to be approved by the State superintendent of education, and shall bear interest from the date of the sale.

Section 8. The State superintendent of education may select such lots as he thinks proper, to reserve from cultivation for the benefit of the timber thereon, and must mark the same "reserved" on the plat thereof.

Section 9. The lots reserved for timber are for the common benefit of the lessees of the other lots; but no timber must be cut down, injured, or destroyed, as long as there is sufficient on the other lots, which the State superintendent of education is to determine; but the lessees must in no case cut down, injure, or destroy such timber without permission from the State superintendent of education, which may be given on such terms as he may think proper, having due regard to the interest of the township or district.

Section 10. Any person who, without authority cuts down, boxes, injures or destroys any tree on school lands shall forfeit and pay for every such tree the sum of twenty-five (\$25) dollars, to be recovered before any court having jurisdiction, in the name of the county board of education for the schools located in the township in which such lands are located, or the school district in which such lands are located.

Section 11. All fines and forfeitures under the preceding section shall be paid into the State treasury, and added to the credit of the permanent sixteenth section fund of the township.

Section 12. The State superintendent of education, on receiving from the purchaser the cash payment, and his notes and mortgages for the deferred payments, must give to him a certificate of purchase, describing the lands purchased, and showing the number of acres and the amount of the purchase money.

Section 13. Such certificate conveys to the purchaser, his heirs, or assigns, a conditional estate in fee, to become absolute on the payment of the purchase money and interest, and to revert to the State for the uses originally granted in the following cases; 1. When all the notes have become due, and the makers have left the State or died insolvent. 2. When a recovery on such notes is defeated by any defense avoiding the contract of sale. 3. When a recovery is had against all the makers, and execution has been returned "no property", by the proper officer of the county in which the township or district lies; or when judgment is had and execution returned against any one or more of such makers

“no property” and the others have left the State, or died insolvent.

Section 14. No proceeding is necessary to revest the title in the State on the happening of the events specified in the preceding section, but such lands may be recovered in the name of the State, for the use of the township or district, against any person in possession of the same, upon proof of the facts; and it is the duty of the clerk of the court in which the suit is pending, or the judgment recovered, to certify the facts to the State superintendent of education, on the happening of the events specified in the second and third sub-divisions of the preceding section, and failing to do so within a reasonable time, he forfeits the sum of one hundred dollars; one-half to the person suing for the same, and the other to the State for the use of the schools of the township or district. When no money is recovered in suits on notes for purchase money of school lands, no costs must be taxed against the township or district for such suits.

Section 15. The amount received by the State upon recoveries had under the last preceding section is to be added to the credit of the permanent sixteenth section fund of the township.

Section 16. A patent issues, on the payment of the purchase money, to the purchaser, his heirs, or assigns, and when the patent is to the heirs, it vests a title in all persons entitled to claim in that capacity under the provisions of the Code of Alabama.

Section 17. The secretary of State must issue patents, upon satisfactory evidence furnished him of full payment of purchase money to any person, agent, or other officer legally authorized to receive such payment; and upon proof of a mistake in the issue of any patent, he must correct the same or issue a new patent on the return of the original to his office.

Section 18. Except under the provisions of the preceding section, no patent must issue without the certificate of the State superintendent of education that the whole amount of the purchase money specified in the certificate, with all interest thereon, has been paid.

Section 19. All notes for school lands held by or deposited with the State superintendent of education, if not paid within six (6) months after maturity, must be placed with the Attorney General for collection; but this section shall not be so construed as to prevent the State superintendent of education from ordering suit on notes at any time after maturity, when so ordered by the sureties on the notes.

Section 20. The State superintendent of education may appoint agents for surveying, mapping, or plotting school lands, for estimating the timber or minerals thereon, and for the performance of such other duties as may be assigned them by the State superintendent of education for the protection of the best inter-

ests of the schools, and for the collection of notes for purchase money of land, being responsible for any neglect on the part of such agents.

Section 21. All collections on notes given for the sale or lease of school lands must be paid into the treasury of the State, to the credit of the proper township or district.

Section 22. All funds now in the State treasury derived from the sale of sixteenth section or other school lands, or which may hereafter accrue from sale of such lands, together with the redemption money of other lands in which former accumulations have been invested under an act approved March 1, 1881, entitled, "An Act to authorize the compromise and settlement of claims for school lands in this State", are covered into the State treasury and made available for general purposes, and the faith and credit of the State is pledged for the payment of the interest on such fund to the public schools of the State, at the rate of six per cent per annum.

Section 23. The State superintendent of education may, with the approval of the Governor, lease out all or any of the school and indemnity lands for a term not exceeding five (5) years, or may enter into a contract or contracts permitting persons to mine all coal or other minerals therefrom, or to take therefrom oil or gas or either, upon a royalty for a term not exceeding twenty (20) years; and the net proceeds of all money received from the lease of such lands or the royalty for the mineral mined therefrom or the oil and gas or either; taken therefrom shall be paid into the State treasury monthly to the credit of the townships to which such lands belong in the proportion of their interest therein.

Section 24. When a person is in possession of any sixteenth section lands under color of title, and has been in such possession for more than 20 years prior to the first day of May, 1908, and neither the State, nor any department thereof holds any note, bond, obligation or other contract of any one for the purchase money of such land, and the State superintendent of education, and the State auditor shall so certify, and the attorney general shall certify that proof of adverse possession, by the person now in possession, or coupled with his predecessor in possession, for 20 years prior to May the first, 1908, under color of title, has been made, which proof is satisfactory to the attorney general, the Secretary of the State must issue a patent, in the name of the State to such land, to the person entitled thereto under this Act.

Section 25. The governor, State Superintendent of education, and attorney general are constituted a board of compromise for the purpose of examining into the title or claim of the State to any sixteenth section or other school lands which have illegally

passed out of the possession of the State, or which have heretofore been disposed of by the State and not paid for. The board may take all action necessary to recover any such lands, or if deemed best, may settle and compromise any conflicting claims thereto between the State and persons claiming the land. When any compromise or settlement is made the Secretary of State shall, upon the order of the board of compromise, issue patents to the land the claims to which have been so compromised.

ARTICLE 41. BONDS OF OFFICIALS AND EMPLOYEES.

Section 1. All bonds of officials and employees required under the provisions of this act shall be executed by a surety company authorized to do business in Alabama and approved by the State superintendent of education. The said bonds shall be filed in the office of the State Department of Education in Montgomery unless otherwise instructed by the State board of education.

ARTICLE 42. TOWNSHIPS ABOLISHED.

Section 1. Township lines for school purposes are abolished; provided the inhabitants of no township shall be deprived of the sixteenth section or any fund arising therefrom, or of selling and leasing such lands as provided by law.

ARTICLE 43. ALCOHOLIC DRINKS AND NARCOTICS.

Section 1. County and City boards of education shall require that regular instruction be given in all schools under their direction as to the nature of alcoholic drinks, tobacco and other narcotics, and their effects upon the human system.

ARTICLE 44. PRIVATE, DENOMINATIONAL, AND PAROCHIAL SCHOOL REPORTS.

Section 1. All private, denominational and parochial schools or institutions of any kind having a school in connection therewith shall register annually on or before the tenth day of October with the State Department of Education and are required to report on uniform blanks furnished by the State Superintendent of Education giving such statistics as relate to the number of pupils, the number of instructors, enrollment, attendance, course of study, length of term, cost of tuition, funds, value of property, and the general condition of the school, and any president or acting head of any such institution mentioned above who fails to so register or to make the reports required above when

called on shall be punished by a fine of not less than ten (\$10.00) dollars nor more than one hundred (\$100) dollars for each and every offense.

Section 2. All private, denominational, or parochial schools offering instruction to pupils within the compulsory attendance ages shall keep all records and make all reports that may be required in any compulsory attendance law now in force or that may hereafter be enacted in the State of Alabama, and no pupil attending any private, denominational, or parochial school which fails to comply with the requirements of this act shall be considered as meeting the legal requirements of such compulsory attendance law.

ARTICLE 45.

Section 1. Be it further enacted: That all laws and parts of laws in conflict with this act shall be and the same are hereby repealed.

Section 2. Be it further enacted: That if any provision or provisions of this act shall be held by the Supreme Court of the State to be unconstitutional such holding shall not affect any other provision of this act, it being the intent and purpose hereof that each provision hereof shall stand or fall on its own merits and that the judicial annulment for unconstitutionality of any provision hereof shall have no effect upon any other provision not so annulled.

Section 3. Be it further enacted: That in lieu of any provision of this act that shall be judicially annulled for unconstitutionality, the existing law at the time of the adoption of this act governing that subject shall be and remain in full force and effect and shall take the place of and be substituted for the provision so annulled.

Section 4. Be it further enacted: That nothing herein contained shall be construed so as to make any appropriation for the purposes set forth in this Act, all reference to appropriations and expenditures being intended to refer and be subject to appropriations otherwise authorized or provided by or under the Constitution and Laws of the State, including specific appropriations for carrying out the provisions and purposes of this Act by the present Legislature.

Approved September 26, 1919.

AN ACT

To provide for the establishment and maintenance of a home for mental inferiors in Alabama; to define who are mental inferiors; to provide for their care, treatment and training, and to appropriate the money necessary therefor from the State Treasury.

Be it enacted by the Legislature of Alabama:

Section 1. That there is hereby created and established upon or near the grounds of the Bryce Hospital, near Tuscaloosa, Alabama, a Home and School for mental deficient or inferiors as they may be hereinafter defined, and to be known as "The Alabama Home."

Section 2. The home shall be managed and controlled by a Board of Managers, composed of the Governor, who shall be ex-officio a member, the seven trustees of the Alabama Insane Hospitals as now constituted, and three other persons, two of whom shall be women. Said three last named members shall be appointed or elected by the Board of Trustees of the Alabama Insane Hospitals, one for a period of one year, one for a period of two years and one for a period of three years from the date of their election or appointment; and upon the expiration of said terms of office, and all later terms, successors shall be elected or appointed by the Board of Managers of the Home for periods of seven years, and until their successors are elected or appointed; all terms to end on the 31st day of December of the last year of each term.

Section 3. The Superintendent of the Alabama Insane Hospitals shall, with and by the assent and advice of the board of managers of the home, appoint a superintendent for the home. Such superintendent shall be responsible for the management and control of the home directly to the superintendent of the Alabama Insane Hospitals, and may be removed at any time by the superintendent of the Alabama Insane Hospitals, for just cause, the same to be set forth in writing and entered upon the minutes of the proceedings of the board of managers; the board of managers concurring therein, or he may be removed at any time by the board of managers, for just cause set forth in writing as provided next above. The term of office and the salary of the superintendent of the home shall be fixed by the board of managers, upon the recommendation of the superintendent of the Alabama Insane Hospitals. The superintendent of the home must be a graduate physician with experience and training in the specialty of psychiatry, a married man of high moral character and refinement.

Section 4. The superintendent of the home, with the consent and approval of the superintendent of the Alabama Insane

Hospitals shall manage and conduct all the affairs of the home; appoint all officers and employes, including a matron, teachers and attendants; fix their salaries or wages; direct their services and dismiss them from the service of the home with the advice and approval of the superintendent of the Alabama Insane Hospitals.

Section 5. The Board of managers shall prescribe rules and regulations for the government of the home, the residents therein and the officers and employes thereof, and the superintendent of the home shall be responsible directly to the superintendent of the Alabama Insane Hospitals, and to the board of managers for the faithful execution of all such rules and regulations as may be prescribed by the managers.

Section 6. The following are declared to be mental inferiors or deficient, or feeble-minded: All persons of whatever age, who are deficient or inferior to the extent of being classed in either of the following groups of the feeble-minded: that is to say, idiots, imbeciles, feeble-minded or morons, and any of whom may be or may not be, epileptics, but not violent or insane. The terms "feeble-minded" and "mental inferior or deficient" within the meaning of this Act shall include every person with such a degree of mental defectiveness from birth, or from an early age, that he is unable to care for himself and to manage his affairs with ordinary prudence, or that he is a menace to the happiness or safety of himself or of others in the community, and requires care, supervision, and control either for his own protection or for the protection of others. It is specifically recognized that the greatest danger which the feeble minded constitute to the community lies in the frequency of the passing on of mental defect from one generation to another. Any person within the above named class, over the age of five years, and a resident of the State of Alabama for more than a year, may be committed to the home.

Section 7. Whenever any resident of the home shall become insane, or violent or unmanageable the superintendent of the Alabama Insane Hospitals shall make an order, in writing, a copy to be filed with the superintendent of the home, and the original transmitted to the proper authorities of the Alabama Insane Hospitals, transferring such person to the proper Insane Hospital, and such order shall be authority for confining such person, so transferred, in the Insane Hospitals just as though such person had been properly committed to the Insane Hospitals in the first instance. So, also, any person confined in the Insane Hospitals bound to be not insane but to be a mental inferior or deficient, as defined in this Act, may be transferred from the Alabama Insane Hospitals to the home by a written order of the superintendent of the Alabama Insane Hospitals, said order

to accompany the patient to the home; a copy of the same to be filed in the hospital from which the patient is transferred.

Section 8. The relative, guardian, or other person interested in an individual of the class herein defined as mental inferiors or deficient, or feeble minded, desiring to commit such person to the home may, if the person be under the age of twenty-one years, apply to the judge of the juvenile court, or where no juvenile court exists, to the Probate Judge of the county of such person's residence, and if over the age of twenty-one years, to the Probate Judge of the county of such person's residence, for the commitment of such person to The Alabama Home; and upon such application such judge to whom the application is made, shall at once apply to the superintendent of the home, with description on a form prescribed by the board of managers of the home and upon being advised by the superintendent of the home that such applicant can be received, if a proper person, such judge shall examine three persons one of whom must be a practicing physician, who are acquainted with the person sought to be committed, and with the condition of such person, and such judge if he is satisfied that the person is within class herein defined as mental inferiors or deficient, or feeble-minded, and is otherwise eligible to admission into the home, shall make an order on a form prescribed by the board, committing such person to the home and arrange to have such person taken to the home, at the expense of the county if necessary. The judge of the juvenile court and the judge of probate to whom an application of commitment is made shall have full jurisdiction of the application and the person on whose behalf the application is made, and shall have the power and authority to commit such person to the home, notwithstanding the family or relatives may object thereto; and when he has made an order of commitment and no member of the family or friend or guardian will convey the person so committed to the home his order of commitment shall be delivered to the sheriff of the county who shall at once convey such person to the home and deliver him (or her) to the superintendent of the home, and shall in all things obey said order of commitment.

Section 9. The committing judge shall be required to furnish such data relative to family and personal history of the person being committed as shall be prescribed by the board of managers in such form or forms as may be furnished him by the superintendent of the home, and the superintendent of the home may decline to admit an applicant for whom the history has not been satisfactorily furnished along with commitment paper. The history is necessary to secure for the patient and the community the best service of the home. It is best furnished by the family physician or a near relative well acquainted with

the facts in the case but it shall be the duty of the committing judge to have the history sent with the commitment paper and the patient.

Section 10. The superintendent of the home with the advice and consent of the superintendent of the Alabama Insane Hospitals shall prescribe for the treatment of the inmates of the home, and if after consultation the superintendent of the home and superintendent of the Alabama Insane Hospitals deem it advisable they are hereby authorized and empowered to sterilize any inmate.

Section 11. If in the opinion of the superintendent of the home, concurred in by the superintendent of the Hospitals, it is deemed proper to parole any inmate of the home, the superintendent of the home may grant a parole to such inmate for any length of time deemed advisable and such parole may be revoked at any time by the superintendent of the home when; in his judgment, the condition of such inmate shall render such revocation advisable. No parole shall be issued to any inmate of the home unless the superintendent of the home is satisfied that such inmate will be properly cared for in a family having means to do so and wherein such inmate will find a proper moral and congenial atmosphere. The superintendent may require the person applying for a parole of an inmate to sign a written obligation with sureties to properly care for and support such inmate while on parole, and to return said inmate to the home at his own expense in the event the parole is revoked. The superintendent of the home must not grant a parole to any resident unless he is of the opinion that it will not be detrimental to such resident or to society, and the superintendent must recall said parole whenever he is satisfied that the welfare of such paroled inmate, or of the community to which such inmate is paroled requires it. If in the opinion of the superintendent of the home, concurred in by the superintendent of the Insane Hospitals any inmate of the home is not a mental deficient or inferior as defined in this Act, he (or she) may be permanently discharged by the superintendent of the home.

Section 12. The buildings of the Home at Tuscaloosa, Alabama shall be located by the superintendent of the Alabama Insane Hospitals by and with the consent and approval of the board of managers, on the most eligible site on the land around the Bryce Hospital and as far away from the Hospital buildings as may be practical to supply the buildings of the home with water, gas, electric current and coal from the hospital. And the board of managers is hereby authorized and empowered to purchase in the name of the State of Alabama any additional land lying near the lands of the Bryce Hospitals as may be found necessary for the proper location and conduct of the home.

Section 13. The board of managers of the home shall constitute a building committee with power to employ a competent architect to prepare plans and specifications for the buildings necessary for the home, and to call for bids for the erection of said buildings, to let the contract for such buildings or to employ a qualified contractor to superintend the erection and construction of such buildings under their supervision and control.

Section 14. The buildings for the home shall be located, built, and equipped so as to facilitate the proper classification of residents according to age, sex, color and grade of deficiency or inferiority; their employment and training in farming and gardening, mechanics or other useful industries or occupations and to make provisions for schools, church worship, amusement, and diversion that may be conducive to the health, happiness and moral and mental improvement of the residents.

Section 16. The Auditor of the State of Alabama shall draw his warrant on the State Treasurer payable to the Treasurer of the home on his order or requisition, countersigned by the superintendent of the home and approved by the Governor for the fund necessary, and the sum thus drawn from the State Treasurer shall be used exclusively for the support and maintenance of the home with the approval of the superintendents of the hospitals.

Section 17. The board of managers may designate any incorporated bank in Tuscaloosa as the depository of its funds and may contract with such bank to perform all duties of Treasurer and to pay interest on the daily cash balance to the credit of the home as the board of managers may determine; or the board of managers may elect a treasurer, fix the amount of his compensation, designate the amount of bond required of him, pay for its making and designate the bank in which the funds shall be deposited.

Section 18. Pending the construction of the home the meetings of the board of managers shall be held at the Bryce Hospital in Tuscaloosa and as many meetings may be held as is found necessary. After the home has been constructed and occupied, the meetings of the board of managers shall be held at the home as often as may be found necessary but the board shall always meet on the day that the Trustees of the Alabama Insane Hospitals meet.

Section 19. The Bryce Hospital may supply the home with gas, water, ice and electric current from the hospital plant, but when so supplied the home shall be charged for the same, an amount not exceeding one per cent over the fair cost of manufacture and delivery; coal may also be supplied the home from the mines of the Bryce Hospital and charged for at a sum not exceeding the fair market value of the same grade of coal in the

coal markets of the State. Until the gardens of the home yield enough vegetables for the purpose of the home, such vegetables as may be spared from the Hospitals gardens shall be supplied to the home at prices to be fixed by the superintendent of the hospitals not to exceed the market price of such vegetables in Tuscaloosa. As soon as practical the board of managers shall establish a modern dairy for the benefit of the home.

Section 20. Whenever the superintendent of the hospitals is informed that there is a person confined in a poor house, jail, an orphanage or a boarding school in the State of Alabama, who should be a resident of the home, it shall be his duty to examine in person, or through the superintendent of the home, or by other proper deputy, every such person, and if such person is found to be a mental inferior or a feeble-minded person as herein defined and otherwise eligible for admission to the home, he must make an order transferring such mental inferior from such poor house orphanage, reformatory, or boarding school to the home and the judge of probate of the county, from which the defective person comes shall provide the means necessary to transport such defective person to the home.

Section 21. In order to accomplish the purpose set forth and to provide the necessary grounds, buildings, furniture, light, heat and water connections, sewerage and other equipment, and to provide for the maintenance of the home when regularly opened for the reception of inmates, the sum of fifty thousand (\$50,000) dollars per year for four successive years is hereby appropriated out of the State Treasury for such purposes, provided that the money so appropriated shall remain in the State Treasury until it is drawn out on requisition of the board of managers and on the approval of the Governor for the purpose of paying for the building material, machinery, labor, furniture, and other equipment, as it is actually needed, and not until such material, machinery, labor, furniture and equipment shall have been delivered, performed or done; and such sums monthly or otherwise out of said appropriation shall be paid out for maintenance of said home as the board of managers may require with the approval of the Governor from and after the time the home is regularly opened for the reception of the inmates.

Section 22. All laws and parts of laws in conflict with the provisions of this Act shall be and they are hereby repealed.

Section 23. If any part of the section of this Act should be declared unconstitutional such declaration shall invalidate no other parts or sections of this Act.

Section 24. This Act shall become effective on and after its passage.

Approved September 29, 1919.

No. 703.)

(S. 738—Carmichael.

AN ACT

To make an appropriation to the public schools.

Be it enacted by the Legislature of Alabama:

Section 1. That the sum of three hundred fifty thousand (\$350,000) dollars for the fiscal year beginning October 1, 1919 and the sum of five hundred thousand (\$500,000) dollars for each and every year thereafter is hereby appropriated out of any monies in the State treasury not otherwise appropriated to the educational fund; provided that the above appropriations shall be placed by the State Auditor to the credit of the educational fund on the books in his office on the first day of October of the respective years and shall be appropriated by the State superintendent of education and be drawn and disbursed as provided by law.

Section 1½. That there is hereby appropriated out of any monies in the State Treasury not otherwise appropriated an additional sum of two hundred thousand (\$200,000) dollars for the fiscal year beginning October 1, 1920, an additional sum of two hundred fifty thousand (\$250,000) dollars for the fiscal year beginning October 1, 1921, and an additional sum of three hundred fifty thousand (\$350,000) dollars for the year beginning October 1, 1922, to be released at the discretion of the Governor and to be set apart and made available in the same manner as the funds appropriated under section 1 above, provided that no part of the funds appropriated under this section shall be released after January 1, 1923, and the provisions for such appropriation shall become void and inoperative from and after such date.

Section 2. That all laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Approved September 30, 1919.

No. 705.)

(S. 731—Carmichael.

AN ACT

To make an appropriation to the State Board of Education.

Be it enacted by the Legislature of Alabama:

Section 1. That there is hereby appropriated annually out of any money in the State treasury not otherwise appropriated the sum of fifty thousand (\$50,000) dollars or so much thereof as may be necessary for the fiscal year beginning October 1, 1919,

and the sum of one hundred thousand (\$100,000) dollars or so much thereof as may be necessary for each and every year thereafter, to be used as a revolving fund by the State Board of Education, provided that at least eighty per cent (80%) of the above appropriation, if used, shall be expended for lengthening school terms or otherwise bettering conditions in rural schools.

Section 11½. That there is hereby appropriated out of any monies in the State treasury not otherwise appropriated to be released in the discretion of the governor, the additional sum of fifty thousand (\$50,000) dollars for the fiscal year beginning October 1, 1919, and a like sum for each and every year of the quadrennium to be used for the same purposes and to be drawn in the same manner as the appropriation made under Section 1 above, provided that no part of the funds appropriated under this section shall be released after January 1, 1923, and the provision for such appropriation shall become void and inoperative from and after such date.

Section 2. That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

Approved September 30, 1919.

No. 546.)

(S. 733—Carmichael.

AN ACT

To amend Section 1780 of the Code of Alabama of 1907.

Be it enacted by the Legislature of Alabama:

Section 1. That Section 1780 of the Code of Alabama of 1907 be and the same is hereby amended to read as follows:

1780—CONTINGENT FUND FOR DEPARTMENT OF EDUCATION.—There is hereby appropriated out of any money in the treasury not otherwise appropriated the sum of three thousand (\$3,000) dollars for the fiscal year beginning October 1, 1919, and the sum of five thousand (\$5,000) dollars for each and every year thereafter, as a contingent fund for the State Department of Education, and whenever it shall become necessary to draw on such fund, the State superintendent of education shall make requisition upon the State auditor who shall draw his warrant on the State treasure for the amount for which requisition is made.

Section 2. That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

Approved September 30, 1919.

No. 539.)

(S. 723—Carmichael.

AN ACT

To make an appropriation for the benefit of those counties that may be levying and collecting a special county school tax during any fiscal year, and to provide for the expenditure of the funds set apart for any county by the county board of education.

Be it enacted by the Legislature of Alabama:

Section 1. That the State superintendent of education shall certify to the State auditor on the first day of October of each year the several counties of the State that are levying and collecting for that year a special tax for school purposes, aggregating one, two, or three mills respectively, and the State auditor, upon the request of the State superintendent of education, shall draw his warrant for one thousand (\$1,000) dollars upon the State treasurer, in favor of the county treasurer of school funds of any county levying and collecting a special tax for school purposes of one mill and less than two mills; for two thousand (\$2,000) dollars, in favor of any county that may be levying and collecting for that year special county school taxes aggregating two mills and less than three mills; and for three thousand (\$3,000) dollars for any county in the State that may be levying and collecting for that year special county school taxes aggregating not less than three mills. Each county shall receive the warrant representing the highest of the above amounts to which it is entitled, and no other.

Section 2. That the funds so set apart for any county shall be expended by the county board of education as, in the opinion of the said county board, will best promote the cause of education in said county, and there is hereby appropriated annually out of any funds in the State treasury not otherwise appropriated the sum of one hundred ninety eight thousand (\$198,000) dollars, or so much thereof as may be necessary, for the fiscal year beginning October 1, 1919, and the sum of two hundred one thousand (\$201,000) dollars, or so much thereof as may be necessary for each and every year thereafter to give all counties qualifying the amount to which said counties may be entitled under the provisions of this article.

Section 2. That all laws and parts of laws in conflict with this act be and the same are hereby repealed.

Approved September 30, 1919.

No. 513.)

(S. 734—Carmichael.

AN ACT

To make appropriations to the State Department of Education.

Be it enacted by the Legislature of Alabama:

Section 1. That there is hereby appropriated out of any funds in the State treasury not otherwise appropriated the sum of fifteen thousand (\$15,000) dollars annually or so much thereof as may be necessary for the certification and placement of teachers including the employment of the necessary professional and clerical help, the purchase of the necessary equipment and supplies and other necessary expenses incident thereto, and the further sum of fifteen thousand (\$15,000) dollars or so much thereof as may be necessary is hereby appropriated annually out of any funds in the State treasury not otherwise appropriated for the training of teachers in service, including extension institute and reading circle work, the necessary salaries and expenses of the professional and clerical help, and for such other related purposes as may be necessary to make this Act of the greatest benefit to the schools of the State; provided that all fees collected for the certification of teachers and all enrollment fees in the placement division shall be paid into the State Treasury. When it shall become necessary to pay out any of the funds appropriated under this Act, the State Superintendent of Education shall make requisition upon the State Auditor who shall draw his warrant upon the State treasury for the amount for which requisition is made.

Section 2. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Approved September 26, 1919.

No. 545.)

(S. 732—Carmichael.

AN ACT

To make an appropriation for the erection, repair and equipment of rural schoolhouses.

Be it enacted by the Legislature of Alabama:

Section 1. That there is hereby appropriated annually out of any monies in the State treasury not otherwise appropriated the sum of two thousand (\$2,000) dollars for each county, in all one hundred thirty-four thousand (\$134,000) dollars, for the erection, repair and equipment of rural schoolhouse in this State.

Section 2. That the unexpended balance on October 1, 1919,

as shown by the books, kept by the State auditor and by the State superintendent of education which have accrued to the several counties of the State from the rural schoolhouse fund provided in sections 1975 and 1993 inclusive, of article 31 of the Code of Alabama of 1907 as amended by section 8 of an act approved September 22, 1915 and also by section 8 of an act approved February 17, 1919, are hereby declared to revert to the State treasury and in lieu thereof an annual appropriation of eighty-seven thousand five hundred (\$87,500) dollars is made for each year of the quadrennium, beginning October 1, 1919, and ending September 30, 1923, out of any funds in the State treasury not otherwise appropriated, in addition to the appropriation set out in section 1 of this article. Out of the above appropriation of eighty-seven thousand five hundred (\$87,500) dollars, the State superintendent of education may annually set aside such an amount as may be deemed necessary to procure expert assistants in the drawing of plans and specifications, in the preparation of estimates of bills of material, in the inspection of buildings, and for such other expenses incident thereto as are deemed necessary and he shall apportion the remainder equally among the several counties of the State. On the first day of October, 1920, and annually thereafter the total of any unexpended balances remaining to the credit of the counties, together with any unexpended balance of the amount set aside as provided above, shall be apportioned equally among all the counties of the State, and the State superintendent of education shall certify such apportionment to the State auditor.

Section 3. All funds appropriated under this act shall be drawn and disbursed as provided by law.

Section 4. On September 1st of each year, any balance of the appropriation unexpended and for which an application shall not have been approved shall be re-apportioned among the counties which have application pending in excess of the appropriations for said counties.

Approved September 30, 1919.

No. 540.)

AN ACT

(S. 724—Carmichael.

To make an appropriation for the establishment of libraries in the rural, village and town schools of Alabama.

Be it enacted by the Legislature of Alabama:

Section 1. That the sum of one hundred (\$100) dollars for each county, in all sixty seven hundred (\$6700) dollars, is hereby

appropriated annually out of any moneys in the State treasury not otherwise appropriated for the purpose of establishing and maintaining libraries in the public schools of the State. The funds appropriated under this Act shall be drawn and disbursed as provided by law.

Section 2. That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

Approved September 29, 1919.

No. 541.

(S. 725—Carmichael.

AN ACT

To amend Section 8 of an act "To provide for the acceptance of the benefits of an Act by the Senate and House of Representatives of the United States of America in Congress assembled, to provide for the promotion of vocational education; to provide for the appointment of a State Board of Vocational Education; and to provide for the duties thereof; and to make appropriations for vocational education" approved February 15, 1919.

Be it enacted by the Legislature of Alabama:

Section 1. That Section 8 of an Act "To provide for the acceptance of benefits of an Act passed by the Senate and House of Representatives of the United States of America in Congress assembled to provide for the promotion of vocational education; to provide for the appointment of a State Board of Vocational Educational, and to provide for the duties thereof; and to make appropriations for vocational education," approved February 19, 1919, be and the same is hereby amended to read as follows:

Section 8. That the State of Alabama shall appropriate a sum of money available for each fiscal year not less than the maximum sum which may be allotted to the State of Alabama for the purpose set forth in the said Federal Act, and there is hereby appropriated out of any monies in the treasury not otherwise appropriated for the fiscal year ending September 30, 1919, the sum of twenty-five thousand (\$25,000) dollars; for the fiscal year ending September 30, 1920, the sum of sixty-six thousand (\$66,000) dollars; for the fiscal year ending September 30, 1921, the sum of eighty thousand (\$80,000) dollars; for the fiscal year ending September 30, 1922, the sum of ninety-one thousand (\$91,000) dollars; for the fiscal year ending September 30, 1923, the sum of one hundred two thousand (\$102,000) dollars, these sums being the estimated amounts required to match the Federal funds for the respective years.

Approved September 30, 1919.

No. 547.)

(S. 722—Carmichael.

AN ACT

To make an appropriation to the Alabama Illiteracy Commission or to the State Board of Education, if created, for the removal of illiteracy in Alabama.

Be it enacted by the Legislature of Alabama:

Section 1. That there is hereby appropriated out of any money in the treasury not otherwise appropriated the sum seven thousand five hundred dollars (\$7,500) for the fiscal year beginning October 1, 1919, and the sum of twelve thousand five hundred dollars (\$12,500.) for each and every year thereafter, for the use of the Alabama Illiteracy Commission or of the State Board of Education, if created, for the removal of illiteracy in Alabama. The said fund shall be paid out upon the requisition of the State superintendent of education upon the State auditor who shall issue his warrant upon the State treasurer for the amount for which requisition is made.

Approved September 30, 1919.

No. 532.)

(S. 730—Carmichael.

AN ACT

To make an appropriation for the maintenance and supervision of county high schools.

Be it enacted by the Legislature of Alabama:

Section 1. That in order to make provision for the annual appropriation of three thousand (\$3,000) dollars to each county high school there is hereby appropriated out of any money in the State treasury not otherwise appropriated the sum of one hundred seventy-six thousand (\$176,000) dollars or so much thereof as may be necessary, for the fiscal year 1919-20, the sum of one hundred eighty-five thousand (\$185,000) dollars, or so much thereof as may be necessary for the fiscal year 1920-21, the sum of one hundred ninety-five thousand (\$195,000) dollars, or so much thereof as may be necessary, for the fiscal year 1921-22, the sum of two hundred thousand (\$200,000) dollars, or so much thereof as may be necessary, for the fiscal year 1922-23, provided, that an amount not to exceed five thousand (\$5,000) dollars annually from each of the above appropriations may be expended for the supervision and inspection of county high schools, including the necessary expenses incident thereto. The funds appropriated under the provisions of this article shall be paid out upon requisition of the State superintendent of educa-

tion upon the State auditor who shall draw his warrant upon, the State treasurer for the amount for which requisition is made.

Approved September 30, 1919:

No. 533.)

(S. 729—Carmichael.

AN ACT

To change the name of each of the nine branch district agricultural schools and experiment stations and to make appropriations for their maintenance and support.

Be it enacted by the Legislature of Alabama:

Section 1. That the names of the nine branch agricultural schools and experiment stations, located at Jackson, Clark County, at Evergreen, Conecuh County, at Abbeville, Henry County, at Sylacauga, Talladega County, at Wetumpka, Elmore County, at Hamilton, Marion County, at Albertville, Marshall County, at Athens, Limestone County, at Blountsville, Blount County, are hereby changed and shall hereafter be known as State Secondary Agricultural schools, and there is hereby appropriated out of any money in the State treasury not otherwise appropriated for each of the nine schools mentioned above for the fiscal year beginning October 1, 1919, the sum of forty-five hundred (\$4500.) dollars to be paid in equal quarterly installments on October first, January the first, April the first, and July the first. There is hereby appropriated the further sum of seven thousand five hundred (\$7,500) dollars annually for each State secondary agricultural school beginning with the fiscal year October 1, 1920, as provided by law.

Section 2. That all appropriations made under this act shall be paid out upon requisition of the State superintendent of education upon the State Auditor who shall draw his warrant upon the State treasurer in favor of the secretary-treasurer of the State secondary agricultural schools for the amount for which requisition is made.

Approved September 30, 1919.

No. 543.)

(S. 728—Carmichael.

AN ACT

To change the name of the Northeast Alabama Agricultural and industrial Institute at Lineville and to make an appropriation for for its maintenance and support.

Be it enacted by the Legislature of Alabama:

Section 1. That the name of the Northeast Alabama Agricultural and Industrial Institute at Lineville is hereby changed

to State Secondary Agricultural School and the sum of three thousand (\$3,000) dollars is hereby appropriated out of any money in the State treasury not otherwise appropriated for the maintenance of said school for the fiscal year beginning October 1, 1919. There is hereby appropriated a further sum of seven thousand five hundred (\$7,500) dollars annually for the maintenance of the above school for the fiscal year beginning October 1, 1920, and for each and every year thereafter, as provided by law.

Section 2. That all funds appropriated under the provisions of this act shall be paid quarterly on requisition of the State superintendent of education upon the State Auditor who shall draw his warrant upon the State treasurer in favor of the treasurer of the school for the amount for which requisition is made.

Approved September 30, 1919.

No. 709.)

(S. 737—Carmichael.

AN ACT

To make appropriations to the State Normal Schools for white teachers located at Florence, Jacksonville, Livingston, Troy, Daphne and Moundville.

Be it enacted by the Legislature of Alabama:

Section 1. That for the support and maintenance of the State Normal Schools for white teachers located at Florence, Jacksonville, Livingston, and Troy there is hereby appropriated to each of said schools for the fiscal year beginning Oct. 1, 1919, the sum of twenty-five thousand (\$25,000) dollars; for the fiscal year beginning Oct. 1, 1920 the sum of thirty thousand (\$30,000) dollars; for the fiscal year beginning Oct. 1, 1921 the sum of thirty-five thousand (\$35,000) dollars; and for the fiscal year beginning Oct. 1, 1922 the sum of forty thousand (\$40,000) dollars is hereby appropriated for each school and a like sum for each and every year thereafter. For the maintenance and support of the State Normal School for white teachers located at Daphne there is hereby appropriated the sum of Nine thousand (\$9,000) dollars for the fiscal year beginning Oct. 1, 1919; the sum of Nine thousand five hundred (\$9,500) dollars for the fiscal year beginning Oct. 1, 1920; the sum of ten thousand (\$10,000) dollars for the fiscal year beginning Oct. 1, 1921; the sum of fourteen thousand (\$14,000) dollars for the fiscal year beginning Oct. 1, 1922, and a like sum for each and every year thereafter. For the maintenance and support of the State Normal School for white teachers located at Moundville there is

appropriated the sum of five thousand (\$5,000) dollars for the fiscal year beginning Oct. 1, 1919, the sum of nine thousand five hundred (\$9,500) dollars for the fiscal year beginning Oct. 1, 1920, the sum of ten thousand (\$10,000) dollars for the fiscal year beginning Oct. 1, 1921, the sum of fourteen thousand (\$14,000) dollars for the fiscal year beginning Oct. 1, 1922 and a like sum for each and every fiscal year thereafter. Provided, however, that the State Board of Education may discontinue the said normal school located at Moundville or remove said normal school to some other location. In the event said normal school at Moundville is discontinued or removed the school at Moundville shall become a county high school, and there is hereby appropriated for it for each fiscal year after such removal or discontinuance the sum of three thousand (\$3,000) dollars as a county high school. Provided further, that if said normal school is removed from Moundville and located at any other place, then said normal school so removed and located shall have and receive the amount herein appropriated for it at Moundville as a normal school for white teachers.

Section 2. The following amounts are hereby appropriated out of any money in the State Treasury not otherwise appropriated for the purposes indicated to the State Normal schools for whites as follows: to the State Normal School at Florence, the sum of ninety-five hundred (\$9,500) for the removal of indebtedness, is hereby appropriated for the fiscal year beginning Oct. 1, 1919, and a like amount for each and every year of the quadrennium, or a total of thirty-eight thousand (\$38,000) dollars; to the State Normal school at Jacksonville the sum of three thousand (\$3,000) dollars for the removal of indebtedness is hereby appropriated for the fiscal year beginning Oct. 1, 1919 and a like amount for each and every year of the quadrennium or a total of twelve thousand (\$12,000) dollars; to the State Normal School at Livingston, the sum of twenty-five hundred (\$2,500) dollars for additional land and building is hereby appropriated for the fiscal year beginning Oct. 1, 1919 and a like amount for each and every year of the quadrennium or a total of ten thousand (\$10,000) dollars, for the State Normal School at Troy the sum of twenty-five hundred (\$2,500) dollars, for repair of buildings and for equipment is hereby appropriated for the fiscal year beginning Oct. 1, 1919 and a like amount for each and every year of the quadrennium or a total of ten thousand (\$10,000) dollars.

Section 3. That there is hereby appropriated out of any money in the treasury not otherwise appropriated the sum of thirty thousand (\$30,000) dollars to each of the State Normal Schools for whites, located at Florence, Jacksonville, Livingston and Troy, making a total of one hundred twenty thousand (\$120,-

000) dollars for the erection and equipment of practice schools at each of the said normal schools, provided that this appropriation for practice schools shall become available for the fiscal year beginning Oct. 1, 1920.

Section 4. That all funds appropriated under the provisions of this Article shall be paid out upon requisition of the State Superintendent of Education upon the State Auditor who shall draw his warrant upon the State Treasurer in favor of the treasurer of the school for the amount for which requisition is made.

Section 5. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Approved September 30, 1919.

No. 520.)

(S. 736—Carmichael.

AN ACT

To make an appropriation for the State Normal School for colored teachers located at Montgomery.

Be it enacted by the Legislature of Alabama:

Section 1. That for the support and maintenance of the State Normal School for colored teachers located at Montgomery there is hereby appropriated for the fiscal year beginning October 1, 1919, the sum of eighteen thousand (\$18,000) dollars and the sum of twenty thousand (\$20,000) dollars is hereby appropriated annually for each and every year thereafter.

Section 2. That for the erection of a dormitory there is hereby appropriated out of any money in the State treasury not otherwise appropriated for the fiscal year beginning October 1, 1921, the sum of twenty thousand (\$20,000) dollars and a further sum of two thousand (\$2,000) dollars for other building purposes, provided the appropriation of two thousand (\$2000) dollars for the proposed building, other than the dormitory, is conditioned upon the raising of the sum of two thousand (\$2,000) dollars and the depositing of the same to the credit of the board of trustees of the said school. The said appropriation shall be released upon the fulfillment of conditions to be prescribed by the State board of education, if created, and if not, by the board of trustees of the said normal school with the approval of the governor.

Section 3. That all funds appropriated under the provisions of this act shall be paid out upon requisition of the State superintendent of education upon the State auditor who shall draw his warrant upon the State treasurer in favor of the treasurer of the school for the amount for which requisition is made.

Section 4. That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.
Approved September 30, 1919.

No. 538.)

(S. 721—Carmichael.

AN ACT

To provide for appropriation to the Alabama School of Trades and Industries at Ragland.

Be it enacted by the Legislature of Alabama:

Section 1. That there is hereby appropriated out of any monies in the State treasury not otherwise appropriated, the sum of five thousand (\$5,000) dollars annually for the maintenance and support of the school of trades and industries at Ragland, the said appropriation to be paid quarterly in equal amounts on the first day of October, January, April and July.

Section 2. That there is hereby appropriated out of any monies in the State treasury not otherwise appropriated the sum of thirty thousand (\$30,000) dollars for the school of trades and industries at Ragland for building and equipment, but the said appropriation shall not become available until an equal amount shall have been raised and placed in the hands of the treasurer of the said school for the use of said school.

Section 3. That the funds appropriated under this act shall be paid upon requisition of the State superintendent of education, with the approval of the governor, on the State auditor who shall draw his warrant on the State treasurer in favor of the treasurer of the school of trades and industries at Ragland.

Section 4. That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

Approved September 30, 1919.

No. 718.)

(S. 727—Carmichael.

AN ACT

To provide for changing the name and for making an application to the Huntsville State Normal and Industrial School, to be known as the Agricultural and Mechanical College for Negroes.

Be it enacted by the Legislature of Alabama:

Section 1. That the name of the Huntsville State Normal and Industrial School to be known as the Agricultural and Mechanical College for Negroes is hereby changed to Agricultural

and Mechanical Institute for Negroes and there is hereby appropriated the sum of fifteen thousand (\$15,000) dollars for the year beginning October 1, 1919, and the sum of fifteen thousand (\$15,000) dollars for each and every year thereafter, to be paid in quarterly installments on October 1, January 1, April 1, and July 1.

Section 2. That the funds appropriated under this act shall be paid upon requisition of the State superintendent of education upon the State auditor who shall draw his warrant upon the State treasurer in favor of the treasurer of the school for the amount for which requisition is made.

Approved September 29, 1919.

No. 534.)

AN ACT

(S. 712—Carmichael.

To make appropriations to the Alabama Girls Technical Institute.

Be it enacted by the Legislature of Alabama:

Section 1. That there is hereby appropriated to the Alabama Girls Technical Institute for each year of the quadrennium beginning October 1, 1919 out of any monies in the State treasury not otherwise appropriated, the following: (1) The sum of forty five thousand (\$45,000) dollars for the year beginning October 1, 1919, fifty thousand (\$50,000) dollars for the year beginning October 1, 1920, fifty five thousand (\$55,000) dollars for the year beginning October 1, 1921, and sixty thousand (\$60,000) dollars for each and every year thereafter, for maintenance. (2) Interest at the rate of six (6) percent. per annum on the amount of the fund in the State treasury at the close of each quarter arising from the sale of lands, amounting to twenty thousand seven hundred twenty-five (\$20,725) dollars or more. (3) The sum of four thousand (\$4,000) dollars for the year beginning October 1, 1920 and for each and every year thereafter, for the maintenance and support of the summer school.

Section 2. That for the provision of additional buildings and equipment for the Alabama Girls Technical Institute there is hereby appropriated for the year beginning October 1, 1920 the sum of thirty seven thousand, five hundred, (\$37,500) dollars for the fiscal year beginning October 1, 1921 and the like sum of thirty seven thousand five hundred (\$37,500) is hereby appropriated.

Section 3. That the above appropriations with the exception of the one for the summer school which will be paid on July 1st. annually, shall be paid quarterly on the first of October, January,

April and July out of any monies in the State treasury not otherwise appropriated upon requisition of the president of the institution upon the State auditor who shall draw his warrant upon the State treasury for the amount for which requisition is made.

Approved Sept. 30, 1919.

No. 535.)

AN ACT

(S. 716—Carmichael.

To provide for making appropriations to the Alabama Polytechnic Institute.

Be it enacted by the Legislature of Alabama:

Section 1. That there is hereby appropriated to the Alabama Polytechnic Institute for each year of the quadrennium beginning October 1, 1919 out of any monies in the State treasury not otherwise appropriated, except as to such items for which the revenue is specifically provided for under separate acts, the following: (1) In lieu of the share of the proceeds from the sale of fertilizer tags heretofore paid to the Alabama Polytechnic Institute the sum of forty thousand (\$40,000) dollars annually. (2) The sum of fifteen thousand (\$15,000) dollars for the year beginning October 1, 1919 the sum of twenty-five thousand (\$25,000) dollars for the year beginning October 1, 1920, the sum of thirty-five thousand (\$35,000) dollars for the year beginning October 1, 1921, and the sum of forty-five thousand (\$45,000) dollars for each and every year thereafter, for the maintenance and support. (3) For equipment, building, operation and maintenance in the animal husbandry department, ten thousand (\$10,000) dollars for the year beginning October 1, 1919; ten thousand (\$10,000) dollars for the year beginning October 1, 1920; twelve thousand five hundred (\$12,500) dollars for each and every year thereafter. (4) For the operation and maintenance of a summer school, five thousand (\$5,000) dollars for the year beginning October 1, 1920 and for each and every year thereafter. (5) For investigation in agriculture at Auburn five thousand (\$5,000) dollars for the year beginning October 1, 1919 and seven thousand five hundred (\$7,500) dollars for each and every year thereafter. (6) For interest on Endowment Fund, Federal Grant 1862 (Code of Alabama 1907, Section 1910) this amount being twenty thousand two hundred eighty (\$20,280) dollars annually.

Section 2. That there is hereby appropriated to the Alabama Polytechnic Institute out of any monies in the State treasury not otherwise appropriated, for building, repair and equipment the following: (1) For the fiscal year beginning October 1, 1920,

the sum of sixty two thousand five hundred (\$62,500) dollars.
 (2) For the fiscal year beginning October 1, 1921, the sum of sixty two thousand five hundred (\$62,500) dollars.

Section 3. That the above appropriations with the exception of the one for the summer school which will be paid on July 1st. annually shall be paid quarterly on the first of October, January, April & July out of any monies in the State treasury not otherwise appropriated upon the requisition of the president of said Alabama Polytechnic Institute upon the State auditor who shall draw his warrant upon the State treasurer in favor of the treasurer of the Alabama Polytechnic Institute for the amount for which requisition is made.

Approved September 30, 1919.

No. 710.)

AN ACT

(S. 713—Carmichael.

To make appropriations to the University of Alabama.

Be it enacted by the Legislature of Alabama:

Section 1. That there is here by appropriated annually to the University of Alabama out of any moneys in the treasury not other wise appropriated the following: (1) The sum of thirty six thousand (\$36,000) annually as interest on the funds of the University of Alabama, here to fore covered into the treasury, for the maintenance and support of said institution. (2) The sum of fifty thousand (\$50,000) dollars for the fiscal year beginning October 1 1919, the sum of sixty thousand (\$60,000) dollars for the fiscal year beginning October 1-1920, the sum of seventy thousand (\$70,000) dollars for the fiscal year beginning October 1-1921 and the sum of eighty thousand (\$80,000) dollars for the fiscal year beginning October 1-1922 to be added to and made a part of the University Fund. (3) The sum of five thousand (\$5,000) dollars for the fiscal year beginning October 1-1919 and the sum of seven thousand five hundred (\$7,500) dollars for each and every year thereafter for the maintenance of the Extension Division of the University, (4) The sum of five thousand (\$5,000) dollars for the fiscal year beginning October 1-1919 and the sum of seven thousand (\$7,000) dollars for each and every year thereafter for the maintenance and support of the summer school. (5) The sum of twenty thousand (\$20,000) dollars annually for the maintenance and equipment of the Medical Department of the University of Alabama, (6) The sum of ten thousand (\$10,000) dollars for the fiscal year beginning October 1-1920 and for each and every year thereafter for the main-

tenance and equipment of the Graduate School of Medicine of the University of Alabama at Birmingham.

Section 2. That for the provision of additional buildings and equipment for the University of Alabama there is hereby appropriated for the fiscal year beginning October 1-1920 the sum of fifty seven thousand five hundred (\$57,500) dollars, and for the fiscal year beginning October 1-1921, a like sum of fifty-seven thousand five hundred (\$57,500) dollars is here by appropriated.

Section 3. That the above appropriations, with the exception of the appropriation for the summer school, which shall be paid on July 1st annually, shall be paid quarterly on the first day of October, January, April, and July, out of any moneys in the state treasury not otherwise appropriated, upon the requisition of the president of the University of Alabama upon the state auditor who shall draw his warrant upon the state treasurer in favor of the treasurer of the University of Alabama for the amount for which the requisition is made.

Approved September 29, 1919.

No. 542.)

(S. 720—Carmichael.

AN ACT

To amend Sections 1941 and 1942 of the Code of Alabama of 1907.

Be it enacted by the Legislature of Alabama:

Section 1. That Section 1941 and 1942 of Article 26 of the Code of Alabama of 1907 be and the same are hereby amended to read as follows: 1941—Appropriations for each pupil. For the maintenance and support of the Alabama School for the Deaf the sum of three hundred (\$300) Dollars per pupil is hereby annually appropriated out of any money in the treasury not otherwise appropriated, such appropriation to be based upon the number of pupils enrolled upon the first day of January of each year, and to be drawn quarterly in advance by the treasurer of the board, and disbursed as directed by the board.

1942.—Property to be insured and kept in repair; appropriation therefor. The board of trustees must provide good and sufficient insurance payable to the State of Alabama, upon the property of the State and under their control, and keep and maintain such property in good repair.

Section 2. That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

Approved September 30, 1919.

No. 536.)

(S. 719—Carmichael.

AN ACT

To amend Section 1946 of the Code of Alabama of 1907.

Be it enacted by the Legislature of Alabama:

Section 1. That Section 1946 of Article 27 of the Code of Alabama of 1907 be and the same is hereby amended to read as follows: 1946. For the maintenance and support of the Alabama School for the Blind the sum of three hundred (\$300) dollars per pupil is annually appropriated, such appropriation to be based upon the number of pupils enrolled upon the first day of January of each year, to be drawn quarterly in advance by the treasurer of the board, and disbursed as directed by them.

Section 2. That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

Approved September 30, 1919.

No. 523.)

(S. 718—Carmichael.

AN ACT

To amend Section 1952 of the Code of Alabama of 1907.

Be it enacted by the Legislature of Alabama:

Section 1. That Section 1952 of Article 28 of the Code of Alabama of 1907 be and the same is hereby amended to read as follows: 1952. For the maintenance and support of the Alabama School for Negro Deaf and Blind the sum of three hundred (\$300) dollars per pupil is hereby appropriated, such appropriation to be based upon the number of pupils enrolled upon the first day of January of each year, and to be drawn quarterly in advance by the treasurer of the Board and disbursed as directed by them.

Section 2. That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

Approved September 30, 1919.

No. 537.)

(S. 717—Carmichael.

AN ACT

To make appropriations to the Alabama Boys Industrial School.

Be it enacted by the Legislature of Alabama:

Section 1. That the sum of two hundred dollars (\$200) per year for each inmate of the Alabama Boys Industrial School is

hereby appropriated out of any money in the State treasury, not otherwise appropriated for each of the years of the quadrennium beginning October 1, 1919, and ending September 30, 1923, and the State auditor is hereby authorized and directed to draw his warrant quarterly on the State treasurer in favor of the treasurer of the Alabama Boys Industrial School for the payment of the amounts due said school, the same to be determined by affidavit of the treasurer of said school at the beginning of each quarter showing the number of inmates of said school during the preceding quarter.

Section 2. That there is hereby further appropriated for the fiscal year beginning October 1, 1920, the sum of fifty thousand (\$50,000) dollars for the purchase of land, and for the erection and equipment of buildings, and there is also hereby appropriated a like sum of fifty thousand (\$50,000) dollars for the fiscal year beginning October 1, 1921, the sums so appropriated for the purchase of land and for the erection and equipment of buildings shall be paid out under authority of the board of directors and the State auditor is authorized to draw his warrant on the State treasurer for the amounts of the said appropriations upon requisition of the governor.

Section 3. That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

Approved September 30, 1919.

No. 544.)

(S. 726—Carmichael.

AN ACT

To amend an Act entitled an Act "to create and establish a reform school for the training of juvenile negro lawbreakers at Mt. Meigs, Alabama; to make appropriations for the purpose, and accept by donation all such lands and buildings as are needful therefor; to create a board of trustees, and to provide for the suitable management of said institution." Approved April 24, 1911.

Be it enacted by the Legislature of Alabama:

Section 1. That Sections 8 and 9 of an Act "to create and establish a reform school for the training of juvenile negro lawbreakers at Mt. Meigs, Alabama; to make appropriations for the purpose, and accept by donation all such lands and buildings as are needful therefor; to create a board of trustees, and to provide for the suitable management of said institution," approved April 24, 1911, be and the same are hereby amended to read as follows:

Section 8. For the support and maintenance of the school there is hereby appropriated the sum of ten dollars (\$10) per

month for every boy lawfully attending and being instructed in the school, which shall be paid monthly upon the sworn statement of the president of the school and approved by the Governor, out of the State Treasury. The expenses for transporting such boy, including the expenses of one guard, shall be paid out of the State treasury upon the sworn statement of the president of the school and approved by the Governor.

Section 9. That the board of trustees in charge of said school, are hereby given power and authority to make all such rules and regulations as may be needful to the successful operation of said school and for the employment of all such guards as may be necessary in the successful management and control of said school, and to fix the salaries to be paid such guards and to limit the number thereof, which salaries shall be paid monthly upon the sworn statement of the president of the school and approved by the Governor, out of the State Treasury, and there is hereby appropriated annually out of the State Treasury the sum of three thousand seven hundred twenty (\$3,720) dollars, or so much thereof as is needed to carry out the provisions of this Section.

Section 2. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Approved September 30, 1919.

No. 548.)

(S. 715—Carmichael.

AN ACT

To make appropriation for the maintenance and support of the State training School for Girls, and for the erection and equipment of buildings and furniture and equipment therefor.

Be it enacted by the Legislature of Alabama, as follows, to-wit:—

Section 1. That there is hereby appropriated out of the treasury of Alabama for the support and maintenance of the State Training School for Girls the sum of Twenty-five (\$25.00) Dollars per month for each inmate in said Training School; the appropriation to be paid quarterly in December, March, June and September of each year following the passage of this bill. And that the State Auditor be, and is hereby authorized and directed, to draw his warrant on the treasurer in favor of the treasurer of said State Training School for Girls quarterly for the payment of the amount hereby appropriated, and that the treasurer or other officer of said School shall make an affidavit at the end of each quarter showing the number of inmates in said School on that date, and the number so ascertained shall

be the basis upon which the appropriation herein made shall be calculated and paid.

Section 2. That there is hereby appropriated out of the State Treasury the sum of Fifty thousand (\$50,000.00) Dollars, Twenty-five Thousand (\$25,000.00) Dollars to be available October 1st., 1920, and Twenty-five Thousand (\$25,000.00) Dollars October 1st., 1921, to be expended by the Board of Managers of said Institution or by the Board of Control, as the Governor may prescribe, subject to the approval of the Governor and the Attorney General, in erecting on the property of said State Training School for Girls, near East Lake, a part of Birmingham, in Jefferson County, Alabama, buildings and necessary improvement or enlargement of sewerage plant; and for new water storage tank; and for the erection of a barn, dairy and silo; farmers and overseers cottage; necessary fencing and farming implements, and for enlarging light plant; estimated to cost, altogether, approximately the sum of Fifty Thousand (\$50,000.00) Dollars. And the State Auditor is hereby authorized and directed to draw his warrant on the State Treasurer, with the approval of the Governor, in favor of the treasurer of said State Training School for Girls for the payment from the sum hereby appropriated the sum or sums as they may be needed and used, for carrying out the buildings and improvements hereinabove mentioned.

Approved September 30, 1919.

No. 750.)

(H. 442—Dickson.

AN ACT

To change the name of the "Mercy Home Industrial School for Girls," located at Birmingham, Alabama, to the Alabama Vocational School for Girls, and to provide appropriations for the support, maintenance and improvement of the same.

Be it enacted by the Legislature of the State of Alabama:

Section 1. That the name of the "Mercy Home Industrial School for Girls", located at Birmingham, Alabama, be, and the same is, hereby changed to the Alabama Vocational School for Girls.

Section 2. Be it further enacted, that the sum of \$6,320.00 is hereby appropriated, annually, out of any moneys in the State Treasury, for the support, maintenance and improvement of the Alabama Vocational School for Girls, located at Birmingham, Alabama, beginning July 1, 1919.

Section 3. Be it further enacted, that the State Auditor is hereby authorized and directed to draw his warrants on the State Treasury, in favor of the Treasurer of the Alabama Vocational

School for Girls, for the payment, quarterly, in advance, in each year, of the sums hereby appropriated for the maintenance of said school.

Section 4. Be it further enacted, that the sum of \$1893.14 be, and the same is, hereby appropriated to the Alabama Vocational School for Girls for the payment of its indebtedness to this date, the same to be paid, immediately, on the warrant of the State Auditor, drawn on the State Treasury, in the manner hereinabove provided, for the maintenance fund.

Section 5. Be it further enacted that the sum of \$6320.00 be paid annually, as provided in section 2 hereof, is to be in lieu of and not in addition to the sum of five thousand dollars heretofore appropriated annually under existing law.

Approved September 30, 1919.

No. 531.)

AN ACT

(S. 735—Carmichael.

To make an appropriation to Tuskegee Normal and Industrial Institute.

Be it enacted by the Legislature of Alabama:

Section 1. That for the partial support and maintenance of the Tuskegee Normal and Industrial Institute and as an evidence of the good will of the State of Alabama there is hereby appropriated annually out of any money in the treasury not otherwise appropriated the sum of five thousand (\$5,000) dollars to the said Tuskegee Normal and Industrial Institute. This fund shall be expended for such purposes as may be agreed upon by the State Department of Education and the board of trustees of the Tuskegee Normal and Industrial Institute. The amount herein appropriated shall be paid quarterly upon requisition of the State superintendent of education upon the State auditor who shall draw his warrant upon the State treasurer in favor of the treasurer of the Tuskegee Normal and Industrial Institute for the amount of such requisition.

Section 2. That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

Approved Sept. 30, 1919.

No. 549.)

AN ACT

(S. 714—Carmichael.

To appropriate the sum of \$7,500.00 to supplement a fund of \$15,000.00 to be raised by the citizens of Blountsville to rebuild the Ninth District Agricultural School building, recently destroyed by fire.

Whereas, the Ninth District Agricultural School building, at Blountsville, Blount County, Alabama, was recently destroyed by fire, and

Whereas, the citizens of Blountsville and community have raised and donated, and now have on deposit in a bank, the sum of \$15,000.00 to aid in the reconstruction of said building. Now therefore,

Be it enacted by the Legislature of Alabama:

1. That there is hereby appropriated from any money in the State treasury not otherwise appropriated the sum of \$7,500.00 to supplement a fund of \$15,000.00 raised and donated by the citizens of Blountsville and community, Blount County, Alabama, to aid in the reconstruction of the Ninth District Agricultural School building, recently destroyed by fire.

2. Be it further enacted, that the auditor, upon proper proof being made to him that said sum of \$15,000.00 raised by the citizens of Blountsville and community is on deposit in a bank and available for use in the reconstruction of said building, and that the reconstruction of said building has been provided for by proper contract, is authorized to draw a warrant on the State treasurer for said sum of \$7,500.00 in favor of, and payable to the trustees of said Ninth District Agricultural School.

3. Be it further enacted, that the appropriation hereinbefore provided for shall not be available and no warrant shall be drawn for same unless Blount County shall be selected as a site for one of the six agricultural schools proposed to be established under the plan of the Alabama Educational Commission.

Approved Sept. 30, 1919.

No. 528.)

(S. 532—Briscoe.

AN ACT

To authorize the consolidation of contiguous territory in two or more adjoining counties into one school district; to provide for the management and control of the school or schools of such consolidated district to provide for the levy and expenditure of funds and for the issuance of interest bearing warrants for the erection, repair or equipments of school buildings in such consolidated district; to provide for the maintenance and support of the school or schools in such consolidated district, and to ratify and confirm local tax elections held in the territory consolidated prior to such consolidation.

Be it enacted by the Legislature of the State of Alabama:

1. That the county boards of two or more adjoining counties shall have the power by resolution spread upon the minutes

of such county boards of education in the counties so adjoining to form a consolidated school district to be composed of the territory bounded by the limits set out for each county by the county boards of education in the aforesaid resolution.

2. The government and control of any school in the consolidated district formed in accordance with the resolution of the boards shall be and is hereby vested in the county board of education of the county in which the school building is located or is to be located.

3. The county boards of education of the counties which have formed a consolidated district in accordance with the provisions of this act, shall apportion funds to the school or schools in the consolidated district in the same manner as to any other district in the county, provided that the funds apportioned to the consolidated district shall be paid over to the treasurer of school funds of the county in which the school building is located or is to be located.

4. Whenever it becomes necessary to erect, repair, enlarge or equip any school building or buildings or otherwise improve the school facilities in the district consolidated accordance with the provisions of this act, the county boards of education in each of the counties concerned shall have the power to issue interest bearing warrants on any local tax levy or levies which have been or may hereafter be authorized in its respective county or in the fractional part of the consolidated school district lying within its respective county and use the proceeds from the sale of such warrants for the purpose set out in this section, provided that all other public funds available to each county may be expended for the benefit of the school or schools of the district consolidated in accordance with this act, in the same manner and for the same purpose as for the school or schools in other districts lying wholly within the county; provided further that in the event two or more contiguous districts in two or more adjoining counties have held local tax elections for the purpose of levying the district three-mill tax for school purposes prior to the formation of a consolidated district as prescribed in section 1 of this act form a consolidated school district, and such local district tax elections for school purposes are hereby ratified and confirmed.

5. This act shall take effect immediately upon the approval by the Governor and all laws and parts of laws in conflict with its provisions be and the same are hereby repealed.

Approved September 30, 1919.

No. 444.)

(H. 414—Brindley.

AN ACT

To amend Sec. 6 of an act entitled: "An Act to provide for elections to authorize any county in the State to levy and collect a special county tax for public school purposes not to exceed thirty (30) cents on each one hundred dollars (\$100) worth of taxable property in such county; to authorize any school district, in any county that may be levying special county taxes for school purposes of not less than thirty (30) cents on each one hundred dollars (\$100) worth of taxable property in such county, to levy a special district tax for school purposes not to exceed thirty (30) cents on each one hundred dollars (\$100) worth of taxable property in such school district; and to authorize boards of education to issue interest bearing warrants to erect, repair, and equip school buildings and to otherwise improve school facilities," approved February 13, 1919.

Be it enacted by the Legislature of Alabama:

That Sec. 6 of an Act entitled : "An Act to provide for elections to authorize any county in the State to levy and collect a special county tax for public school purposes not to exceed thirty (30) cents on each one hundred dollars (\$100) worth of taxable property in such county; to authorize any school district, in any county that may be levying special county taxes for school purposes of not less than thirty (30) cents on each one hundred dollars (\$100) worth of taxable property in such county; to levy a special district tax for school purposes not to exceed thirty (30) cents on each one hundred dollars (\$100) worth of taxable property in such school district; and to authorize boards of education to issue interest bearing warrants, to erect, repair and equip school buildings and to otherwise improve school facilities," approved February 13th., 1919, be and the same is hereby amended so as to read as follows: Sec. 6. The board of education of any county, which is levying a county tax for school purposes under the provisions of this act, may contract for or make provisions for payment, in whole or in part, for the erection, repair, or equipping of school houses, or the erection of additions thereto, including county high schools, or to make other improvements in the school facilities of the county, out of the funds arising from said tax, and to this end and for this purpose said board of education of any county is hereby authorized to issue interest bearing warrants at a rate not to exceed six percent per annum, for a term not to exceed the time said special tax levy has been voted for said county, and for an amount, including interest, not to exceed the income from said levy, estimating such income upon the basis of the assessed value of the taxable property in such county for the preceding tax year, as the annual return for such levy for the period for which said warrants are issued; and the board of education of any city of two thousand or more inhab-

itants, having control of any school district, or the board of education of any county in which there is no city school board, where a special district tax for school purposes has been levied under this act, is authorized to use said special district tax to erect, repair or equip or build additions to any school building within said district, including county high schools, and to make improvements in the school facilities of said school district, and are authorized to use said special district tax for the purpose of paying off and liquidating public school bonded indebtedness of cities and districts, and in their discretion may apportion said school tax to these various purposes, and to this end and for this purpose, said board of education, is hereby authorized to issue interest bearing warrants at a rate not to exceed six percent per annum, for a term not to exceed the time the said special district tax has been voted in said district, and for an amount, including interest, not exceeding the income from said tax levy, estimating such income upon the basis of the assessed value of the taxable property in such city or school district for the preceding tax year, as the annual return from such levy for the period for which such warrants are issued. The due date of said school warrants shall not extend beyond the 30th. day of September next after the time when the tax for the last year of said levy shall become delinquent. All warrants shall be signed in the name of such board, by its president, and shall be a preferred claim upon the proceeds of said tax levy in such county or school district, as the case may be, each year during the period for which such warrants are issued, to the extent of the warrants maturing during such year, and such board shall, at the beginning of each tax year, by resolution entered upon its minutes, set apart so much of the tax income for that year as will be necessary to meet all warrants maturing during that year. Provided, that nothing herein contained shall prevent the said board from paying any of such warrants for which the income from said tax levy, ascertained as herein provided, may be insufficient to pay.

Approved Sept. 25, 1919.

No. 215.)

AN ACT

(H. 11—Baker.

To extend and regulate the granting of teachers' certificates to persons who served in the army or navy of the United States during the war with Germany.

Be it enacted by the Legislature of Alabama:

Section 1. That the State board of examiners is hereby authorized to extend the certificate of all persons who at the time

they entered the military or naval service of the United States held a certificate to teach in the public schools of Alabama for two years.

Section 2. That whenever any person who was in the military or naval service of the United States during the war with Germany and who at the time he entered said service was teaching in the public schools of this State under a first grade certificate shall apply to the State board of examiners for a life certificate, the time which he spent in the military or naval service of the United States shall count upon said application as if he had been engaged in teaching during said period of time.

Section 3. The certificate of any county superintendent of education that the person applying for an extension of certificate or for a life certificate served in the army or navy and of the length of time so served shall be sufficient proof to authorize the State board of examiners to grant the party applying the benefits of this act.

Approved August 16, 1919.

No. 459.)

(S. 414—McDowell.

AN ACT

To provide for the reading of the Holy Bible in the schools in Alabama that are supported in part or in whole by public funds and to provide for the enforcement of the same.

Be it enacted by the Legislature of Alabama:

Section 1. That all schools in this State that are supported in whole or in part by public funds, be and the same are hereby required to have once every school day, readings from the Holy Bible.

Section 2. Be it further enacted, that teachers in making monthly reports shall show on the same that they have complied with this act, and superintendents of city schools in drawing public funds shall certify that each teacher under his supervision has complied with this act.

Section 3. Be it further enacted, that schools in the State subject to the provisions of this Act shall not be allowed to draw public funds unless the provisions of this act are complied with, and the State Superintendent of Education is charged with the enforcement of the provisions hereof.

Approved Sept. 26, 1919.

No. 722.)

(H. 862—Carnley.

AN ACT

To better secure compliance with the laws of Alabama, requiring instruction of all pupils in public schools, and in all schools and colleges supported in whole or in part by public money, or under State control, with reference to the effect of alcoholic drinks, stimulants and narcotics upon the human system.

Be it enacted by the Legislature of Alabama:

Section 1. That the county and city boards of education, and the county superintendents and superintendents of city schools, and all boards of directors and presidents of all schools and colleges, supported in whole or in part by public money, or under state control, shall, respectively, require and provide that regular instruction shall be given in all grades of all said schools and colleges under their supervision, direction or control as to the nature of alcoholic drinks, tobacco and other narcotics, and their effect upon the human system; and they shall, from time to time, as they may be called upon by the governor or state superintendent of education, report to the governor or state superintendent, respectively, what they have done to comply with the duty hereby imposed upon them; to the end that such subjects shall be taught in the schools and colleges of the State as regularly as any other subjects of instruction.

Section 2. That the board of directors and president of every normal school or college in this State shall require and provide that all students therein shall have regular instruction in the subjects mentioned in the preceding section; to the end that such students, when authorized to teach in the schools of the State, shall be qualified to give the like instruction therein. The presidents of said schools shall report to the governor at the end of each scholastic year to what extent such instruction has been provided for in the said schools and colleges during the preceding scholastic year.

Section 3. That in the examination of applicants for certificates of the 1st, 2nd and 3rd grades, or of applicants for the life certificates, whether such examination be held by the state board of examiners or whether the examination be held in the county, in the cases provided for by law, such applicants shall be examined upon the subjects or branches referred to in Section 1 of this act, and the subjects referred to in Section 1 of this act shall be embraced in the branches of learning, upon which the said applicants are required to be examined in writing, and such examination shall include questions on those subjects as on others.

Section 4. That the board of directors of the state normal schools shall arrange with the President of the Woman's Chris-

tian Temperance Union to have a trained scientific temperance institute worker to visit each normal school of the State at least once a year, and to be allowed one hour per day on not less than three days to lecture before the student body upon the subjects mentioned in Section 1 of this act; and that the reasonable expense of the severances of such institute worker shall be agreed upon by the presidents of the school with the worker, and the expenses of the services of such institute worker and of the entertainment, if any, of such worker while she is in attendance upon the school for the purpose aforesaid, shall be paid out of the Treasury of the State upon a warrant issued by the Auditor to the president of the school, upon a statement of the account presented under affidavit by the president, and approved by the Governor; and the proceeds of such warrant shall be used either to pay the said worker for services and entertainment, or to reimburse the president of the school, if he has paid the worker for such services and entertainment.

Section 5. That the programme for the exercises of temperance day to be observed in the public schools of the State one day in each scholastic term, as provided by law, may be prepared and furnished to the state superintendent of education by the Alabama Woman's Christian Temperance Union, or by a committee of said Union, named for that purpose, and the programme may be so prepared, either in collaboration with the state superintendent of education, or under the supervision of such superintendent, and it shall be the duty of the state superintendent of education to have the said programme printed and to have the same sent out to the schools or heads thereof from his office at the expense of the State, and the expense of printing and distributing said programme shall be paid upon a warrant issued by the Auditor, upon an account under oath, made out by the state superintendent of education and approved by the Governor; and the said warrant shall be issued to the state superintendent and the proceeds thereof used by him to pay the expenses of such printing and distribution, or to reimburse him therefor, if he has already advanced such payment.

Section 6. That the state superintendent of education, in the report which he is required by Section 1686 of the Code of 1907, to make annually to the Governor, on or before the 1st day of December, shall state what he has done to comply with sub-section 3 of Section 1685 of the Code of 1907, and to what extent the instruction there required has been given in the schools and colleges referred to in the title of this act.

Approved September 30, 1919.

No. 695.)

(S. 314—Craft.

AN ACT

To provide for instruction in regard to the humane protection of animals in the public schools.

Be it enacted by the Legislature of Alabama:

Section 1. There shall be taught in the public schools of this State in addition to other branches of study as now prescribed, a system of humane treatment to all animals.

Section 2. In every public school within this State it shall be optional with each teacher to devote twenty or more minutes each week during the whole term in teaching the pupils thereof kindness, justice and humane protection of birds and animals, and the important part they fulfill in the economy of nature, given by daily incidents or humane readings.

Section 3. The Superintendent of Public Instruction of this State shall include moral and humane education in the program of the teachers institute which is held in each county.

Section 4. Provision made for humane education in the normal school course regarding kindness to animals, for all those training for the teachers profession.

Section 5. The principal or teacher of each public school shall state briefly in their monthly reports whether the provision of this act have been complied with in the school under his or her control. Experiments on any living creature shall not be permitted in any public or private school of this commonwealth.

Approved September 29, 1919.

No. 756.)

(H. 751—Orr.

AN ACT

To further prohibit disturbances at churches, school houses, or at other public places. To prevent injuries to automobiles and other vehicles parked at such places.

Section 1. *Be it enacted by the Legislature of Alabama:*

That after the passage and approval of this act it shall be unlawful for any person or persons, without the consent of the owner or person in charge of an automobile or other vehicle, parked or left standing at or near any church, school house, on the streets, roads, in front of any private residence or at any other public place wheresoever, to loiter or sit in said automobile or other vehicle, or to blow the horn, turn the switch, put on the lights, or in any way meddle with the ways works or ma-

chinery of said automobile or other vehicle, while the same is left parked or standing at said place.

Section 2. Be it further enacted that any person or persons violating any of the provisions of this act shall be guilty of a misdemeanor and on conviction shall be fined not less than five nor more than \$100.00 and may also be imprisoned or sentenced to hard labor for not more than six months.

Approved September 30, 1919.

No. 629.)

(S. 332—Evins.

AN ACT

To amend an act entitled "An Act to regulate the employment of minor children within the State of Alabama; to prohibit the employment of minors under certain conditions; to provide for the inspection, and regulation of establishments, occupations, places and premises where minors are employed; to entrust the enforcement of the provisions of this act to the State Prison Inspector; to punish violations of this act, and approved February 24, 1915.

Be it enacted by the Legislature of Alabama:

That an act entitled "An Act to regulate the employment of minor children within the State of Alabama; to prohibit the employment of minors under certain conditions; to provide for the inspection and regulation of establishments, occupations, places, and premises where minors are employed; to entrust the enforcement of the provisions of this act to the State Prison Inspector; to punish violations of this act and approved February 24, 1915" be and the same is hereby amended so as to read as follows:

Section 1. That no child under fourteen years of age shall be employed, permitted, or suffered to work in any gainful occupation, except agriculture or domestic service; provided, however, that boys twelve years of age or over may be employed in business offices and mercantile establishments, except soft drink and ice cream establishments, restaurants or cafes, during the summer vacation when the public schools in the city or town in which the child resides are not in session, if the child secures and files with employer a special permit or certificate as hereinafter prescribed; and provided further that boys twelve years of age or over may be employed in the distribution and sale of newspapers and other printed matter as provided for in Section 13 of this Act.

Section 2. No child under sixteen years of age shall be employed, permitted, or suffered to work in any gainful occupation, except agriculture or domestic service, for more than six days in any one week, or more than forty-eight hours in any one week or

more than eight hours in any one day, or before the hour of six o'clock in the morning, or after the hour of seven o'clock in the evening. The presence of any child under sixteen years of age in any mill, factory, or workshop, laundry, or mechanical establishment shall be *prima facie* evidence of its employment therein.

Section 3. It shall be the duty of every employer to post and keep posted in a conspicuous place in every room where any child under the age of sixteen years is employed, permitted, or suffered to work, a printed notice stating the maximum number of hours such persons may be required or be permitted to work on each day of the week, the hours of commencing and stopping work, and the hours allowed for dinner or other meals. The printed form of such notice shall be furnished by the Inspector hereinafter named, and the employment of any minor for a longer time in any day so stated, or at any time other than as stated in such printed form of notice, shall be deemed a violation of the provisions of this act.

Section 4. No person under the age of eighteen years shall be employed, permitted or suffered to work as a messenger for any person, firm, or corporation engaged in the business of telegraph, telephone, or messenger service, in the distribution, transmission or delivery of goods or messages after the hour of ten o'clock in the evening, or before the hour of six o'clock in the morning of any day; and no person under twenty-one years of age shall be employed in any establishment where intoxicating liquors are manufactured or sold nor to work in any pool or billiard room or place.

Section 5. No child under the age of sixteen years shall be employed, permitted, or suffered to work at any of the following occupations or in any of the following positions: (1) operating or assisting in operating any of the following machines: (a) circular or band saws; (b) wood shapers; (c) wood jointers; (d) planers; (e) sand paper or wood polishing machinery; (f) wood turning or boring machinery; (g) machines used in picking wool, cotton, hair or any other material; (h) job or cylinder printing presses; (i) boring or drilling presses; (j) stamping machines used in sheet metal or tin ware, or in paper or leather manufacturing, or in washer or nut factories; (k) metal or paper cutting machines; (l) corner staying machines; (m) steam boilers; (n) dough brakes or cracker machinery of any description; (o) wire or iron straightening or drawing machinery; (p) rolling mill machinery; (q) power punches or shears; (r) washing, grinding or mixing machinery; (s) laundering machinery; (t) nor engage in any work in or about a rolling mill, machine shop or manufacturing establishment which is hazardous, or dangerous to health, limb, or life; (2) or in proximity to any hazardous or unguarded gearing; (3) or upon any rail-

road, whether steam, electric, or hydraulic; (4) or upon any vessel or boat engaged in navigation or commerce within the jurisdiction of this state.

Section 6. No child under the age of sixteen years shall be employed, permitted, or suffered to work in any capacity: (1) in, about, or in connection with any processes in which dangerous or poisonous acids are used; (2) nor in the manufacture or packing of paints, colors, white or red lead; (3) nor in soldering (4) nor in occupations causing dust in injurious quantities; (5) nor in the manufacture or use of poisonous dyes; (6) nor in the manufacture or preparation of compositions with dangerous or poisonous gasses; (7) nor in the manufacture or use of compositions of lye in which the quantity there is injurious to health; (8) nor on scaffolding; (9) nor in heavy work in the building trades; (10) nor in any tunnel or excavation; (11) nor in, about, or in connection with any mine, coke breaker, coke oven, or quarry; (12) or in assorting, manufacturing or packing tobacco; (13) nor to operate any automobile, motor car or truck; (14) nor to work in any bowling alley; (15) nor shall any child under the age of sixteen years be employed upon the stage of any theater or concert hall, or in connection with any theatrical performance or other exhibition or show, except that children fourteen years of age may be employed as ushers in theaters or concert halls in accordance with the provisions of sections 2 and 7 of this act; (16) nor in any place or occupation which the State Board of Health may declare dangerous to life or limb or injurious to the health or morals of children under sixteen years of age. The State Board of Health shall have authority to declare any place or occupation dangerous to life or limb or injurious to health or morals of children under sixteen years of age.

Section 7. It shall be unlawful for any firm, person, or corporation to employ, permit, or suffer any child under sixteen years of age to work in any gainful occupation, except agriculture or domestic service, unless such person, firm or corporation keeps on file for the inspection of the officials charged with the enforcement of this act, an employment certificate, as hereinafter provided for every such child; and unless such person, firm, or corporation keeps on file for the inspection of the officials charged with the enforcement of this act, a complete list of all such children employed therein. The inspector charged with the enforcement of this act may make demand on any employer in whose establishment a child, apparently under sixteen years of age, is employed or permitted or suffered to work, and whose employment certificate is not filed as required by this act, that such employer shall furnish such official evidence satisfactory to him that such child is, in fact, sixteen years of age or over, or shall cease to employ or permit or suffer such child to work therein.

Such official may require from such employer the same evidence of age of such child as is required for the issuance of any employment certificate, and the employer furnishing such evidence shall not be required to furnish any further evidence of age of the child. In any case such employer shall fail to produce and deliver to such official such evidence of age thereby required of him, and thereafter continue to employ such child or permit or suffer such child to work in such establishment, proof of the failure to produce and file such evidence shall be prima facie evidence in prosecution that such child is under sixteen years of age, and unlawfully employed. Any official charged with the enforcement of this act may cancel any employment certificate found to be illegally or improperly issued. When any such employment certificate is cancelled, the employer of the child, for whom the employment certificate is issued, shall be notified. It shall be unlawful to employ any such child after notice that the certificate for such child has been cancelled, provided that such child may be employed after a new employment certificate, regularly issued as provided for by law, shall have been granted to him.

Section 8. No child under fourteen years of age shall be employed, permitted, or suffered to work in any employment or service during the hours when the public schools of the district in which the child resides is in session.

Section 9. It shall be the duty of the superintendent, or principal of schools in cities or towns to issue employment certificates or to authorize a person in writing to issue such certificate acting in his name. When there is no superintendent or principal of schools, said certificates shall be issued by the county superintendent of education or by a person authorized by him in writing. Such certificates shall be issued in duplicate, and a copy of each certificate issued during the month preceding, shall be transmitted to the state inspector, together with the report as hereinafter provided for.

Section 10. The person authorized to issue employment certificates shall not issue such certificates unless the child accompanied by his parent or guardian, or person standing in parental relation thereto, has personally made application to him therefor, and until he has received, examined, approved and filed the following papers duly executed: (1) a written statement of the person, firm or corporation into whose service the child is about to enter that he intends to employ the child, which statement shall give the nature of the occupation for which the child is to be employed; (2) a school record signed by the principal or the teacher of the school last attended by said child stating that such child has completed the elementary course of study of the fourth grade of the public school or its equivalent, or has attended school

at least 120 days of the year immediately preceding the date on which the certificate is issued. On and after September 1, 1921 a school record showing the completion of the 4th grade or its equivalent, only shall be accepted, said certificate shall state the age and date of birth of said child, as shown on the records of the school, and the name and address of the parent, guardian, or custodian; provided, that such evidence of school attendance outside of the state of Alabama may be accepted at the discretion of the officer issuing the certificate; in case such school record cannot be obtained, then the officer issuing the employment certificate shall examine such child to determine whether he can meet the educational standard specified and shall file in his office a statement setting forth the result of such examination; (3) one of the following evidences of age, showing the child to be fourteen years of age or over, to be required in the order herein designated: (a) duly attested transcript of the birth record of said child, filed according to law, with any officer charged with the duty of recording births; (b) or a duly attested transcript of certificate of baptism showing the date of birth and a place of baptism of such child; (c) or a life insurance policy which must have been in force for at least one year; (d) or a bona fide contemporary Bible record of birth; (e) or a passport, or certificate of arrival in the United States showing the age of the child; (f) or in case the officer authorized to issue such certificate is satisfied that none of the above proofs of age can be produced, other evidence of the age, as an affidavit of age sworn to by the parent, guardian, or custodian of such child, accompanied by a certificate of physical age of such child, signed by a public health or public school physician, provided, that a school record or parent's, guardian's or custodian's affidavit, certificate, or other written statement of age alone shall not be accepted; (4) a statement duly dated and signed by a public school physician, or by a regularly licensed physician in good standing in the community where he resides, showing that he has personally examined such child, and that in his opinion the child is fourteen years of age or over, is of good physical development for a child of his age, is of sound health, and is physically qualified to perform the work at which he is to be employed; provided that the officer issuing employment certificates shall have authority and is hereby empowered to issue a Vacation Employment Certificate to children fourteen years of age and over without requiring a statement that the child has completed the fourth grade of the elementary course of study, or its equivalent, as hereinbefore provided; provided further, that the officer issuing employment certificates shall have authority and is hereby empowered to issue a Special Employment Certificate to any boy twelve years of age or over to work in business offices and mercantile establishments, ex-

cept soft drink and ice cream establishment, restaurants or cafes, during the summer vacation when the public schools in the city or town in which the child resides are not in session; without requiring that the child has completed any grade. Such vacation and special employment certificates shall be different in form and color from the regular employment certificate and shall be valid only during the time when the public school in the city or town in which the child resides, is not in session. Every vacation and special employment certificate shall become null and void on the date the public schools open for the regular session. The superintendent of schools in any city, town, or district, wherever there is one, and where there is none, the county superintendent of education, shall between the first and tenth day of each month transmit to the office of the State Prison Inspector hereinafter mentioned, or the director of the Child Welfare Department when the same shall have been established, a report, which report shall give the name of each child to whom certificate has been granted or denied during the preceding month, together with the ground for such denial. A refusal or failure to transmit such report by any person charged under this section with the duty of transmitting the same to such state official shall constitute a misdemeanor punishable by a fine of not less than five dollars nor more than twenty-five dollars.

Section 11. The employment certificate shall state the full name, place and date of birth of such child with the name and address of the parent, guardian, or persons sustaining the parental relationship to such child, and shall contain a statement signed by the issuing officer that the child has personally appeared before him and that satisfactory evidence has been submitted that such child is fourteen years of age or over. The printed form of the certificate and the other papers required in the issuing of the employment certificate shall be drafted by the state inspector hereinafter mentioned and furnished by him to the local and county superintendents of education.

Section 12. On the termination of the employment of a child under the age of sixteen years, the employment certificate shall be returned by the employer holding the same to the school authority by whom it was issued within ten days after the termination of the employment. Every employment certificate so returned shall be cancelled by the officer who issued the certificate and transmitted to the state inspector with the next succeeding monthly report as hereinbefore provided for.

Section 13. No boy under twelve years of age and no girl under eighteen years of age shall distribute, sell, expose, or offer for sale, newspapers, magazines, periodicals, handbills, or circulars, or be employed or permitted or suffered to work in any other trade or occupation performed in any street or public place; pro-

vided, however, that boys ten years of age or over may engage in the distribution of newspapers and periodicals on fixed routes in the resident districts of towns or cities and provided further that boys twelve years of age or over may engage in the occupation of bootblacks. No boy under sixteen years of age shall engage in any such street occupation above mentioned after eight o'clock at night or before five o'clock in the morning of any day; and unless he has secured and wears in plain sight a badge as herein provided. Such badges shall be issued by the superintendent of schools, or some person designated by him in writing, and shall be granted only after the child has applied to him personally accompanied by his parent, guardian, or custodian, and has submitted satisfactory proof that he is twelve years of age or over, or if engaged only in distributing papers or periodicals on fixed routes in the resident districts, ten years of age or over, and is a regular attendant of a school. Such badge shall be renewed annually on the first day of January and shall not be transferrable, and the form, design or color shall be changed annually. A deposit of not more than fifty cents may be required by the person issuing the badge to be returned upon the surrender of the same, and if lost the badge may be replaced upon the payment of twenty-five cents. Such badges shall be provided by the state inspector and paid for out of any monies in the state treasury not otherwise appropriated and shall be distributed by said inspector to the superintendent of schools on or before January the first of each year. Any child who shall engage in any such street occupations in violation of the provisions of this section shall be deemed delinquent and brought before any court or magistrate having jurisdiction over juvenile delinquents and shall be dealt with according to law. The official charged with the enforcement of this act shall have authority and is hereby empowered to investigate each case where he believes that the child holding a badge is not entitled to its possession, and if he is satisfied from the evidence obtained that the child has secured the badge through misrepresentation or fraud, such official shall have authority to revoke the badge and return it to the official who issued it. Use of a badge shall be revoked or suspended in case the child's school record is not satisfactory to the principal of the school which he attends, by either the officer who issued the badge or by any official charged with the enforcement of this act. Any person who sells or offers for sale, any article of any description to a boy under sixteen years of age to be used for the purpose of sale or barter upon the streets or in any public place, shall first ascertain that such boy wears his own badge in plain sight as herein provided, and if said boy has no badge, no article shall be sold to him. Any person violating this provision shall be fined not less than one and not more than

fifty dollars. Police officers, and other peace officer, and truant officers shall enforce the provisions of this section.

Section 14. It shall be the duty of the State Prison Inspector or the Director of the Child Welfare Department when the same shall have been established, and his authorized assistants to inspect as frequently as possible all establishments wherein minors subject to the provisions of this act, are, or may be employed or permitted to work and to enforce the provisions of this act. For the purpose of administering this act, and any other laws relating to the employment of minors, the State Prison Inspector or the Director of the Child Welfare Department when the same shall have been established, may be designated the State Child Labor Inspector and his deputy inspectors may, in the performance of their duties in enforcing the provisions of this act, be known as deputy child labor inspectors. It shall be the duty of the inspector to institute prosecution for the violation of any of the provisions of this act. It shall be the duty of every school attendance officer and probation officer to report to the State Child Labor Inspector any and all violations of this act coming to his knowledge. Such school attendance officer and probation officers shall have the same right of access to establishments where minors are or may be employed or detained and of inspection of such establishments as is given by law to child labor inspectors, provided that a report of every such entry and inspection of said establishments shall be made to the state child labor inspector. Such school attendance officers and probation officers, when authorized by the state child labor inspector, shall have the same authority to institute prosecutions as is given by law to the state child labor inspector or deputy child labor inspector.

Section 15. Every person, firm or corporation, owning or controlling any establishment wherein minors are employed, subject to the provisions of this act, shall keep such establishment in a sanitary condition, and properly ventilated, and shall provide suitable and convenient water closets or privies, separate for each sex, and in such number and located in such place or places, as may be required by the inspector; and when twenty or more persons are employed, sanitary drinking fountains shall be provided in such number as the inspector may deem necessary. All water closets shall be maintained inside such establishments except, where in the opinion of the inspector, it is impracticable. In all such establishments, there shall be separate water closets or privy compartments for females, to be used by them exclusively, and notice to that effect shall be painted on the outside of such compartments. The entrance to every water closet or privy in such establishment, shall be effectively screened by a partition or vestibule. In every such establishment a printed copy of this act shall be kept conspicuously posted in every room in which

minor persons work. It shall be the duty of every inspector to inspect thoroughly every such establishment, to issue a written order for the correction of insanitary or unhealthful conditions in such establishments, and to compel compliance with such orders as herein provided.

Section 16. The inspector shall have free access at any time to any establishment where minors are, or may be employed or detained, and any person who refuses to allow the inspector to have free access to any such establishment and every part thereof, or who hinders or obstructs him in his inspection, or who makes any false statement to the inspector about the establishment, its operation or condition, or about any person working or detained therein, or who refuses to comply with any order issued under authority of section 15 of this act, shall be guilty of a misdemeanor and shall be fined not less than fifty nor more than one hundred dollars, and on subsequent conviction, shall be fined not less than two hundred dollars. It shall be the duty of the inspector to remove from any establishment any child found employed, working or detained therein contrary to the law, and to remove therefrom any child who is afflicted with any infectious, contagious, or communicable disease, or whose physical condition is such that it makes it hazardous to a child to prosecute such work.

Section 17. Any person, firm, or corporation who violates any of the provisions of this act, or who permits any child to be employed or to work in or about or be detained in, or be in or about any establishment, contrary to law, or who fails or refuses to obey within a reasonable time any lawful orders or directions given by the state officials charged with the enforcement of this act and any parent, guardian, or custodian under whose care or control a child under sixteen years of age is, who suffers or permits such child to work in violation of any of the provisions of this act unless a special penalty is herein otherwise provided, shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine of not less than ten dollars nor more than one hundred dollars, and upon second or subsequent conviction of any violation of any of the provisions of this act, shall be punished by a fine of not less than one hundred dollars, nor more than five hundred dollars.

Section 18. Any person who makes a false affidavit when an affidavit is required, under this act is guilty of a misdemeanor and shall upon conviction, be punished by a fine of not less than five dollars nor more than twenty dollars, and for a second or subsequent conviction shall be imprisoned not more than ninety days.

Section 19. The State Prison Inspector or the Director of the Child Welfare Department when the same shall have been

established, and his deputies, when traveling in the performance of their duties herein prescribed, shall be reimbursed their actual traveling expenses, when approved by the state child labor inspector and by the governor to be paid on the warrant of the state auditor.

Section 20. The word "inspector" is used herein to designate or mean the State Prison Inspector or the Director of the child Welfare Department when the same shall have been established, or his duly authorized deputies, such deputies being hereby clothed with the same duties and authority with which the State Prison Inspector or Director of the child Welfare Department when the same shall have been established is now or may hereafter be clothed. In the enforcement of the provisions of this act, the State Prison Inspector or Director of the child Welfare Department when the same shall have been established, and his authorized deputies are hereby vested with the same authority as deputy sheriff's in each and every county in the State.

Section 21. All laws and parts of laws in conflict with this act are hereby repealed.

Section 22. If any section of this act shall be held unconstitutional, in whole or in part the fact shall not effect any other section of this act, it being the intention of the legislature in enacting this act to enact each section separately.

Approved September 30, 1919.

No. 457.)

(S. 247—Bedsole.

AN ACT

To establish a child welfare department for the State of Alabama, to prescribe its duties, functions, and powers, to provide for the appointment of an executive and other officers of such department to define their duties, to provide for their compensation and to provide for the maintenance and other expenses of such department, and confer on said department all the duties, powers and authority heretofore conferred on the State prison inspector insofar as his duties, powers, and authority relate to children under 16 years of age."

Be it enacted by the Legislature of Alabama:

Section 1. That there is hereby established for the State of Alabama a Child Welfare Department, to be located in the State Capitol, with the several powers, functions, and duties hereinafter prescribed.

Section 2. That the said department shall have the power and it shall be its duty (1) To devise the plans and means for and have general oversight over the welfare work for minor children in the State. (2) To advise with the judges and probation

officers of the Juvenile Courts of the several counties of the State and to encourage and perfect the work of such courts throughout the State. (3) To exercise the right of visitation, inspection and co-operative supervision of all State, county, municipal and other institutions, public or private, receiving or caring for children, and of all orphanages, child placing societies, and of all maternity hospitals and lying-in homes. Provided, however, that nothing contained in this section shall be so construed as to supersede or interfere with the powers and duties of the Board of Control and Economy heretofore created and established. (4) To exercise general supervision over the administration and enforcement of existing laws governing apprenticeships, adoptions, and child placing agencies. (5) To issue permits to orphanages and all other institutions caring for, receiving, placing or handling minor children, to all maternity hospitals and lying in homes, and to revoke any such permit for cause. (6) To require reports from courts and institutions, public and private, to the extent and in the form and manner hereinafter provided. (7) To enforce all laws regulating the employment of minor children, with full power of visitation and inspection of all factories, industries, and other establishments in which children may be employed, permitted or suffered to work, the duties, power and authority, with reference to the Child Labor Law, heretofore or hereafter imposed upon the State Prison Inspector, being hereby transferred to and imposed upon the Child Welfare Department herein created. (8) To make surveys and to hold conferences and conventions for the purpose of carrying out the provisions of this Act and of promoting the welfare of minor children, and to that end to enlist the cooperation of any State, county or municipal officials. (9) To solicit and receive donations of money and other things of value to be used in the support and development of its work and activities. (10) To co-operate with the State Department of Education, the State Board of Health, all State, county, and municipal, benevolent and religious, educational and correctional institutions, and to solicit the aid and to co-ordinate the activities of all private and volunteer social, labor, and welfare organizations on all subjects affecting the health, education, morals and general welfare of minor children. (11) To establish and maintain homes, receiving stations, or other agencies, for the care of dependent, neglected or delinquent minor children, or to contract with such institutions for their care, and to receive minor children committed to its care and to place such children either in family homes, or in institutions caring for children, and to supervise such children however placed.

Section 3. (1) That the Child Welfare Department shall be under the control of a Commission consisting of the Governor,

the State Superintendent of Education, the State Health Officer, ex-officio, and six persons to be appointed by the Governor, whose terms of office beginning from the date of their appointment shall be respectively, two for two years, two for four years, and two for six years, the said terms of office to be designated to each appointee by the Governor in making the appointment. All succeeding appointees shall be appointed by the Governor and shall hold office for a term of six years and until their successors are appointed and qualified.

(2) The said Commission shall, within sixty days after the approval of this Act, and at the call of the Governor, meet at the State Capitol and proceed to organize the said department. It shall hold at the State Capitol at least one regular meeting during each year, and as many special meetings as may be necessary. At such meetings five members shall constitute a quorum. The Governor shall be the presiding officer, but in case of his absence, the Commission shall have authority to elect a temporary presiding officer. If there be no director as hereinafter provided for the Commission may elect a secretary, pro-tempore.

(3) The director hereinafter provided for shall be the secretary of the Commission. (4) The members of the Commission shall receive no compensation for their services other than the amount of their traveling and other expenses, actually paid out while in attendance on the meetings of the Commission, or on the business of the department. (5) The Commission is empowered to adopt rules for its own government, and for the government of the department; to elect a director and to provide for the selection or appointment of other officials or employees as may be necessary and to fix their compensation; to have general control of the performance of every duty and the execution of the several powers herein conferred upon the department; to control and direct the expenditure of all appropriations which may be made for the maintenance of the department; and to do and perform such other acts and things as may be necessary to carry out the true intent and purposes of this Act.

Section 4. (1) That the department shall be under the immediate management and control of a director to be elected by the Commission whose term of office shall be six years and until his successor is elected and qualified. The Commission shall have authority to discharge at any time the director at its pleasure.

(2) The director shall take oath of office, as other public officials, shall be commissioned in like manner, shall devote his entire time to the work of the department, and shall receive for his services the sum of Three Thousand Dollars per annum, payable monthly as other State officials are paid. (3) The director shall have full control and direction of the work and operations of the department, and he shall use his best endeavors to

develop and carry forward the various activities herein provided.

Section 5. That it is hereby made the duty of the probate and juvenile court judges to make on or before the tenth day of each month a report to the Child Welfare Department on the work of juvenile courts administered by them, and all apprenticeships and adoptions, in their several counties.

Section 6. That it is hereby made the duty of all public and private reformatories, correctional and child caring institutions, all orphanages, maternity hospitals, lying-in homes, or other institutions having or exercising any jurisdiction or control of, or over dependent, neglected, or delinquent children, to make such reports to the department, and at such times, as may be required by its rules, including the extent and source of income, cost of maintenance, number of inmates, and upon all such other subjects as may be demanded. All reports provided for in this and the preceding section shall be upon blanks and forms provided by the Child Welfare Department. Any such superintendent, manager, or person, in charge of such institutions, failing or refusing to allow such visitation or inspection, or failing or refusing to make such reports, or furnish the information to said department as herein provided for, shall be guilty of a misdemeanor. It is hereby made the duty of State solicitors, or their assistants, to institute proceedings for the purpose of enforcing this law.

Section 7. That in order to render more effective the provisions of this Act, and better to develop its objects in conserving the interests of the minor children of the State, the Commission herein provided for is empowered to devise reasonable minimum standards for the conduct of such orphanages, institutions, or societies, or other agencies receiving or caring for dependent, neglected, or delinquent minor children, and all maternity and lying-in-homes, and to grant permits to operate to such of these as conform to the standards. All orphanages, or other institutions or societies or agencies, receiving or caring for dependent, neglected, or delinquent minor children, and all maternity and lying-in-homes shall be required to obtain a permit from the department before being permitted to operate, and any such institution carrying on any of the functions of such organizations or any person or persons in charge of such institutions without first obtaining such permit shall be guilty of a misdemeanor. Provided, however, that all such institutions now operating in the State shall be deemed *prima facie* as conforming in all respects to right standards and regulations, and it shall be the duty of the department to issue to every such institution a permit as herein required, but institutions shall be subject to future inspections, and to conformity to the standards, and regulations

which may be prescribed by the Department. Power is conferred upon the Department to cancel the permit herein above provided for on the failure of any such organization to comply with the standards which may be established by said Department. No permit shall be granted to any private person, organization, institution or society, to receive, care for, or place any child or children unless such person, organization or society is chartered as provided for by the laws of the State.

Section 8. That the Child Welfare Department shall occupy rooms or apartments in the State Capitol to be set aside for its use by the Governor; its furnishings and equipment shall be supplied from the Capitol, Repair and Improvement Fund as other State offices, its stationery, office supplies and materials and postage shall be supplied from the stationery and office supplies and postage funds, and the printing and binding of its reports, bulletins, circulars, blank forms and other printing as may be required shall be paid from the State printing fund.

Section 9. That for the maintenance of the Department including the payment of salaries and all expenses not provided for under the special provisions herein provided, the sum of Twelve thousand four hundred (\$12,400.00) dollars is hereby appropriated, and a continuing annual appropriation of said sum is hereby made.

Section 10. That in the event any part or provisions of this Act is declared unconstitutional or inoperative by the Courts, it shall only affect such parts or provisions, the remainder of the Act continuing in full force and effect.

Section 11. That all laws and parts of laws, general, special, and local in conflict with any of the provisions of this Act be and the same are hereby repealed.

Approved Sept. 25, 1919.

No. 763.)

AN ACT

H. 944—Partridge.

To provide for the establishment and maintenance of public libraries by counties; to provide for their government and supervision, and to authorize the co-operation and affiliation of rural, town, and village school libraries with any libraries so organized.

Be it enacted by the Legislature of Alabama:

1. That in order to aid in the development of higher ideals of citizenship and the enlargement of opportunity for culture and recreation, and in order to afford an additional agency for the further up-building of the educational interests of the State, the court of county commissioners, the board of revenue or other

governing body of the counties of this State shall have the right to establish and maintain or aid in establishing and maintaining free public libraries, for the use of the citizens of their respective counties, either separately or in connection with free public libraries or subscription libraries already established therein, or in connection with the public schools, and to that end may accept gifts, donations and bequests of lands, buildings or money therefor, and may make appropriations from the county treasury in support thereof in such sums as they may deem proper, not to exceed five thousand dollars annually.

2. That for the government and supervision of such libraries a county library board is hereby created, consisting of the Probate Judge, as chairman, and the county superintendent of education, both ex-officio, and three others to be elected by the above named county authorities; the library board so created shall have full power and authority to control the expenditure of all funds received or appropriated for such libraries; to erect or rent buildings to cost not in excess of the funds available to them; to purchase books and equipment, to provide a system of circulating or traveling libraries, to elect a librarian and other employees, and otherwise to have full authority and power to manage and control the said library in order to carry out the full intent and purpose of this act; and a careful and complete record and set of books shall be kept by the library board, showing the proceedings of their several meetings and the disbursements in detail of all funds expended by them. In counties where free public libraries are already established and in operation, a separate county library board shall not be appointed, but the county libraries and the appropriations authorized shall be administered by the governing board of such public library, on such terms as may be agreed upon between the above named county authorities and the said governing board.

3. That any rural, town or village school library, secured or provided under act of April 13, 1911, may on application of the district library board to the county library board affiliate such library with the county library, or with the free public library administering the county library, in accordance with rules fixed by the county library board, or by the free public library board.

4. That it shall be the duty of the Department of Archives and History, now charged with the library extension activities of the State, to encourage the establishment of such libraries, and shall afford free advice and counsel on organization, buildings, staff, book purchases, co-ordination and affiliation of school and other libraries, and on such other subjects as may arise in connection with the establishment and maintenance of such libraries; and such county libraries shall, on request, make such

regular and special reports to the Department as may be required.

Approved September 30, 1919.

No. 637.)

(S. 240—West.

AN ACT

To provide for the inspection of all public or private hospitals, reformatories, houses of detention, convents, asylums, sectarian seminaries, schools or other institutions in the State of Alabama; to authorize the appointment of inspectors, and to provide penalties for the violation of any of the provisions hereof.

Be it enacted by the Legislature of Alabama:

Section 1. That all public or private hospitals, reformatories, houses of detention, convents, asylums, sectarian seminaries, schools or other like institutions in the State of Alabama shall be subject to inspection, and open to inspection, by the inspectors hereinafter provided, at any and all times between the hours of 8 A. M. and 7 P. M., and at any other hour than those named, should the necessity therefor arise.

Section 2. That such inspection shall be made by an inspector or inspectors appointed by the governor of the State of Alabama—and it shall be the duty of the governor to appoint such inspector or inspectors and to direct when and where such inspection or inspections shall be made.

Section 3. Such inspector or inspectors, when appointed, shall make a careful inspection of the institution, directed to be inspected, as to its sanitary conditions inside and outside of the buildings, all rooms in such building or buildings, and the surrounding grounds and out houses belonging to or connected with such institution; shall have full power and authority, and it shall be the duty of such inspector or inspectors to make inquiry of all those kept, boarded or confined in such institution, separate and apart from the presence of any officer or other person connected in any way with such institution, as to their treatment, whether they or others there are subject to involuntary confinement, or servitude, or are forcibly detained or unlawfully confined in such institution; the declared purpose of this section being to afford, within the confines of the institution, and free from interference by or intimidation from any officer or other person in any way connected with said institution, a full opportunity to get the facts from any one therein kept, boarded or confined as to the manner in which such institution is conducted, and whether any one therein is involuntarily confined, subjected to servitude or forcibly detained, or unlawfully held.

Section 4. That such inspector or inspectors, as soon after making an inspection as practical, shall file in duplicate, one with the governor of the State of Alabama and one with the Superintendent of Education of the State of Alabama, a report in writing covering the points of inspection herein set out, and such other things as may seem pertinent to the purposes of such inspection, and stating conditions just as he found them, and as they are reported to him or them by those residing in or kept or confined in such institution; and this report shall be open to inspection by any citizen of the State of Alabama, or any officer or agent of the federal government.

Section 5. That it shall be unlawful for any officer or agent of any institution directed to be inspected, or for any other person, whether connected with said institution or not, to in any way hinder or impede, oppose or prevent any inspector or inspectors from performing their or his duty in making an inspection, when directed so to do by the authority or authorities herein mentioned, and any person convicted of violating any of the provisions hereof shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than Fifty, nor more than Five Hundred Dollars, and also be sentenced to hard labor for the county for not less than thirty, nor more than one hundred and eighty days.

Section 6. That any inspector or inspectors appointed as herein provided, and who accepts such an appointment, who shall divulge to any person or persons until the inspection is made, the fact of his appointment or when or where he will perform the inspection of any institution directed to be inspected shall be guilty of a misdemeanor, and upon conviction shall be fined not less than fifty nor more than five hundred dollars, and may also be sentenced to hard labor for the county for not less than thirty nor more than one hundred and eighty days.

Section 7. That all laws, local special and general or either in conflict with the provision of this act be and they are hereby expressly repealed.

Approved September 30, 1919.

No. 571.)

(H. 523—Long of Sumter.

AN ACT

To provide for holding district and county fairs for boys' agricultural and girls' home demonstration clubs; to prescribe the manner in which they shall be held; to create boards of directors for district and county fairs for boys' agricultural and girls' home demonstration clubs in each county; to create fair districts for boys' agricultural and girls' home demonstration clubs in each county; to create fair district committees for boys' agricultural and girls' home demonstration clubs in each county; to

provide for holding meetings of instruction for members of the boys' agricultural and girls' home demonstration clubs; to make appropriations for such fairs and to prescribe methods for drawing and spending same.

Be it enacted by the Legislature of Alabama:

Section 1. That from and after the passage of this Act the probate judge or chairman of the county board of revenue or county commissioners or other body having similar jurisdiction in the county, the county superintendent of education, the county farm demonstration agent, and the county home demonstration agent are hereby created a board of directors for district and county fairs for boys' agricultural and girls' home demonstration clubs in each county. The probate judge or chairman of the county board of revenue or county commissioners or other body having similar jurisdiction in the county, shall be ex-officio chairman of said board of directors. A majority of said board of directors shall constitute a quorum for the transaction of all business. The said board of directors shall designate some reliable and responsible bank in the county to receive and disburse all funds for all district and county fairs created by this Act as directed by said board of directors.

Section 2. Said board of directors shall at once divide the county into ten fair districts for boys' agricultural and girls' home demonstration clubs based upon the school attendance in the rural schools for the previous school year and the general topography of the county. Each of the said fair districts shall contain as nearly as practicable and equal number of boys and girls of school age. Each year thereafter not later than the first Monday in July the said board of directors in each county shall meet and either declare the fair districts as before in effect or make such changes based on the school attendance of the previous year and the general topography of the county as seen for the best interests of the several districts and the county. The said board of directors shall select a chairman and two associate members as the fair district committee for boys' agricultural and girls' home demonstration clubs for organizing and supervising the district fair in each fair district.

Section 3. The said board of directors in each county shall have the authority for the expenditure of all funds as provided by this Act for all district and county fairs for boys' agricultural and girls' home demonstration clubs held in the county; shall make all rules and regulations and shall set dates for holding district and county fairs as provided for by this Act, provided that all boys and girls making exhibits and competing for premiums are either regular members of the boys' agricultural and the girls' home demonstration clubs as organized under the super-

vision of the farm and home demonstration agents in each county or students of vocational classes under the Smith-Hughes Law, and that they submit records of their work along with their exhibits; and provide further that as far as practicable premiums shall be offered so as to make an equitable and fair division of funds between boys and girls' so as to stimulate the maximum interest in home gardening, canning, agriculture and livestock. All district fairs as provided for by this Act in any county shall be held prior to the said county fair in the same county. All county fairs for boys' agricultural and girls' home demonstration clubs shall be held not later than November the 15th of each year.

Section 4. That when a petition is filed with the probate judge or chairman of the county board of revenue or county commissioners or other body having similar jurisdiction in the county, signed by a majority of the legal voters in any fair district and accompanied by \$25.00 which is to be used in offering premiums and otherwise aiding in paying the expenses of the district fair, the county board of revenue or county commissioners or other body having similar jurisdiction in the county may declare this Act in force for said district, and appropriate an additional \$25 for the purpose of offering premiums and aiding in paying other expenses incurred in holding a district fair in said district. Each year thereafter when the fair district committee in any fair district raises \$25 in the district, which is to be used in offering premiums and in otherwise aiding in paying the expenses of the district fair, and deposits it with the probate judge or chairman of the county board of revenue or county commissioners or other body having similar jurisdiction in the county, the county board of revenue or county commissioners or other body having similar jurisdiction in the county shall appropriate an additional \$25 for the purpose of offering premiums and aiding in paying other expenses incurred in holding a district fair in said district.

Section 5. When a majority of said fair districts in any county qualify for holding district fairs, the county board of revenue or county commissioners or other body having similar jurisdiction in the county may declare this Act for holding a county fair for boys' agricultural and girls' home demonstration clubs in force and appropriate \$500 for the purpose of offering premiums and paying other expenses incident to holding said county fair and for paying any expenses incident to holding county meetings of members of the boys' agricultural and girls' home demonstration clubs for special instruction in the various agricultural and home demonstration club activities in which the boys and girls may be engaged. When any county qualifies for holding a county fair for boys' agricultural and girls' home

demonstration clubs, there is hereby appropriated out of the State Treasury from any funds not otherwise appropriated the sum of \$100 annually to be used in offering premiums and otherwise aiding in paying the expenses of said county fair. The State fund is to be available to a county when the State Auditor receives a certified statement from the probate judge or chairman of the county board of revenue or county commissioners or other body having similar jurisdiction in the county showing that the county has qualified for holding said county fair. The State warrant for said \$100 for each county shall be drawn in the name of the probate judge or chairman of the county board of revenue or county commissioners or other body having similar jurisdiction in the county.

Section 6. That all laws and parts of laws in conflict with this Act or any part of this Act are hereby repealed.

Approved September 30, 1919.

No. 555.)

(S. 651—Brown.

AN ACT

To amend an Act approved February 14, 1919, entitled "An Act To provide for extension work in agriculture and home economics by giving instruction to men, women and young people in the several counties in Alabama, by continuing and improving farm demonstration work, by organizing marketing clubs, by organizing and supervising boys' corn and pig clubs, girls' canning clubs, women's clubs in home economics and by conducting other extension work through other means, all with a view to making farm life more profitable and attractive; to secure for Alabama the full amount of the funds conditionally appropriated by Congress under the Smith-Lever Extension Act for extension work in agriculture and home economics; and to make appropriations for these purposes."

Be it enacted by the Legislature of Alabama:

That an Act approved February 14, 1919, entitled "An act to provide for extension work in agriculture and home economics by giving instruction to men, women, and young people in the several counties in Alabama, by continuing and improving farm demonstration work, by organizing marketing clubs, by organizing and supervising boys' corn and pig clubs, girls' canning clubs, women's clubs in home economics and by conducting other extension work through other means, all with a view to making farm life more profitable and attractive; to secure for Alabama the full amount of the funds conditionally appropriated by Congress under the Smith-Lever Extension Act for extension work in agriculture and home economics; and to make appropriations for these purposes." "Be it enacted by the Legislature of Alabama. That an Act approved February 14, 1919, entitled an act

to provide for extension work in agriculture and home economics by giving instruction to men, women, and young people in the several counties in Alabama, by continuing and improving farm demonstration work, by organizing marketing clubs, by organizing and supervising boys' corn and pig clubs, girls' canning clubs, women's clubs in home economics and by conducting other extension work through other means, all with a view to making farm life more profitable and attractive; to secure for Alabama the full amount of the funds conditionally appropriated by Congress under the Smith-Lever Extension Act for extension work in agriculture and home economics; and to make appropriations for these purposes," be and the same is hereby amended so as to read as follows:

Section 1. That in order to aid in diffusing among the people of Alabama in the several counties useful and practical information on subjects relating to agriculture and home economics; to provide for the continuance and improvement of farm demonstration work; for organizing live stock, marketing and other agricultural clubs and otherwise assisting farmers in preparing for market and marketing their crops and live stock; for organizing and supervising boys' corn clubs and pig clubs, girls' canning clubs, home economics and other clubs for women; to encourage diversification of crops and better methods of farming and stock raising; to promote the welfare of the rural districts by other forms of agricultural and home economics extension work; and to secure for expenditure in Alabama the full amounts appropriated conditionally by the Congress of the United States under the agricultural extension act, approved May 8th, 1914, generally known as the Smith-Lever act for extension work in agriculture and home economics in the several states, the following sums shall be, and are hereby, appropriated to the Alabama Polytechnic Institute out of any moneys in the Treasury not otherwise appropriated, for carrying out the purposes of this act: For the fiscal year, beginning October 1, 1919, the sum of sixty-eight thousand (\$68,000) dollars; for the fiscal year beginning October 1, 1920, the sum of eighty-six thousand (\$86,000) dollars; for the fiscal year beginning October 1, 1921, the sum of one hundred four thousand (\$104,000) dollars; for the fiscal year beginning October 1, 1922, the sum of one hundred twenty-two thousand (\$122,000) dollars.

Section 2. These sums shall be expended under the direction of the board of Trustees of the Alabama Polytechnic Institute, which board of trustees shall appoint a committee of three men with the governor of the State as chairman and the said committee shall direct the extension service of said institute in the expenditure of all moneys whatever relevant to the putting into effect of this act, and in such manner as to secure for extension work in Alabama in any year the maximum amount of the fund

conditionally appropriated for that year by the Congress of the United States under the terms of the agricultural extension act, generally known as the Smith-Lever act, approved May 8th, 1914. If there should remain in any year any balance of the State appropriation after satisfying the requirements of the said Smith-Lever act of Congress, these balances may be used with the approval of the above mentioned commission in providing quarters for the official and public use of persons engaged in extension work in Alabama and for other purposes related to extension work. Any balance remaining unexpended at the end of any fiscal year shall be added to the amount available for the next ensuing year, except as modified by the provisions of an act approved February 11, 1919, to provide for a State Budget Commission. Any revenue derived from the sale of equipment or other articles shall be further applied to the purposes of this Act.

Section 3. The sums appropriated by this Act shall be paid each year in equal quarterly payments in advance on the first day of October, January, April and July, respectively, to the Treasurer of the Alabama Polytechnic Institute, on the requisition of the President of the Institute.

Section 4. On or before the fifteenth day of each month the Extension Service of the Alabama Polytechnic Institute shall make a report to the Governor showing to whom any moneys were paid during the preceding month, naming the amount paid to each person and the cause or causes for which said moneys were paid, with such degree of itemizing as the Governor may require.

Section 5. All laws and parts of laws in conflict with this Act are hereby repealed, but nothing in this Act shall be construed as repealing the Act approved February 11, 1911, for farm demonstration work in Alabama, which Act provides a fund for farm demonstration work in cooperation with the Federal Department of Agriculture that is now represented in Alabama by the Extension Service of the Alabama Polytechnic Institute.

Approved September 30, 1919.

No. 391.)

(S. J. R. 120—Carmichael.

SENATE JOINT RESOLUTION

Relating to Federal aid for the promotion or development of mines and mining, and mining engineering in the State of Alabama.

Whereas, The Alabama Educational Commission has recommended the concentration at the University of Alabama of train-

ing and investigations in Mining Engineering and the authorities of the two State engineering colleges have accepted this recommendation, and

Whereas, it appears that certain advantages may in future years accrue to the several States in the development of mines and mining by the action of the Federal Government: NOW THEREFORE

Be it resolved by the Senate of the State of Alabama, the House concurring,

1. That the department of mining engineering of the University of Alabama be and hereby is declared to be the "School of Mines" of the State of Alabama.

2. That Alabama's share of such Federal aid as may hereafter be provided by Congress for the promotion or development of mines and mining, and mining engineering in the several States through educational agencies, shall be put at the exclusive disposal of the University of Alabama to be utilized in connection with or by that institution in such manner as the Federal law and regulations may prescribe.

Approved September 20, 1919.

No. 278.)

(H. 412—Jones of Montgomery.)

AN ACT

To authorize and require the city school board, or city board of education, or by whatever name called in all cities or towns of this State having a population of not less than thirty-eight thousand nor more than forty thousand, according to the last or any succeeding Federal census, to provide a pension or retiring allowance for teachers who have served in the public schools of such city or town.

Be it enacted by the Legislature of Alabama:

Section 1. That the city school board, or city board of education, or by whatever name called, in all cities or towns of this State having a population of not less than 38,000 nor more than 40,000 according to the last or any succeeding Federal census, is hereby authorized and required, on application in writing, to retire any teacher who has taught in the public schools of such city for twenty-one years or more, and is at the time on the roll of teachers of any such city or town, and who, at the expiration of such period shall be in such mental or physical condition as to be unable or incapacitated to teach longer, such inability or incapacity to be determined by said board, and a statement thereof spread upon the minutes of said board.

Section 2. That the city school board or city board of education or by whatever named called, in all cities or towns of this State having a population of not less than 38,000 nor more than 40,000 according to the last or any succeeding Federal census, is hereby authorized and required on application in writing to place on the retired list of school teachers any person who is at the time a resident citizen of any such city or town and who taught in the public school of such city twenty-one years or more at any time in the past and who shall be at the time of such application in such mental or physical condition as to be unable or incapacitated to teach longer, such inability or incapacity to be determined by said board and a statement thereof spread upon the minutes of said board; it being the intention of this act that such persons shall enjoy the full benefits of this act.

Section 3. The amount of pension or retiring allowance provided for in sections 1 and 2 of this act shall be one-half of the highest salary received by any such teacher during the period of service, but not to exceed the sum of \$600.00 per annum.

Section 4. Such pension or retiring allowance shall be paid out of the regular school funds monthly as salaries of other teachers are paid.

Section 5. This act shall take effect upon its approval by the governor.

Approved September 2, 1919.

No. 701.)

(S. 442—Briscoe.

AN ACT

To create the office of State Fire Marshal, and to provide for the appointment of deputy Marshals and assistants to define their powers and duties and to fix their compensation; provide ways and means for the enforcement of this Act and penalties for violation thereof; and to provide means for defraying the expenses incurred under the provisions hereof.

Be it enacted by the Legislature of Alabama:

Section 2. Be it further enacted, That it shall be the duty of the State Fire Marshal, his deputies and assistants, to enforce the laws and ordinances of the State, and the provisions of this Act, in counties, cities and districts thereof relating to First: Prevention of fires. Second: Storage, sale and use of combustibles and explosives. Third: Installation and maintenance of automatic and other fire alarm systems and fire extinguishing equipment. Fourth: Construction, maintenance and regulation of fire escapes, Fifth: The means and adequacy of exits in case of fire from factories, asylums, hospitals, churches, schools, halls,

theatres, amphitheaters, and all other places in which numbers of persons live, work or congregate from time to time for any purpose or purposes. Sixth: Suppression of arson, and the investigation of the cause, origin and circumstance of fires. The State Fire Marshal, his deputies and Assistants, shall have such other powers, and perform such other duties, as set forth in other sections of this Act, and as may be conferred and imposed upon them from time to time by the laws of this State.

Section 13. Be it further enacted, That it shall be the duty of the State Fire Marshal, his deputies and assistants, to require officials and teachers of public and private schools and educational institutions to have at least one fire drill each month, and to have all doors and exits at such schools and educational institutions open out, and that all such doors and exits shall be unlocked during school hours, and that the doors and exits of factories, asylums hospitals, churches, halls, theatres, amphitheaters and other places in which numbers of persons live, work or congregate from time to time for any purpose or purposes, shall open out, and any person or persons, or corporations, failing to comply with the provisions of this Act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than Ten (\$10.00) Dollars, nor more than Fifty (\$50.00) Dollars for each violation thereof.

No. 21.)

(S. 89—Carmichael.

AN ACT

To provide for the appointment of a commission to make a study of the public school system of Alabama and to make an appropriation therefor.

Be it enacted by the Legislature of Alabama:

Section 1. That the governor shall appoint a commission of five persons all of whom shall serve without compensation, to make a study of the public educational system of Alabama, including all schools and educational institutions supported in whole or in part from public funds, to determine the efficiency of the same and to report its findings with recommendations for increased efficiency and economy to the governor on or before July 1, 1919.

Sec. 2. That the said commission is empowered to employ assistance in the several fields of public education in which the State is engaged and shall supply such clerical help and equipment as shall be necessary.

Sec. 3. That the said commission and its employees shall have free access to all public records. All public school and educational institutions, teachers, instructors, faculties, officers, and employees shall furnish all information and assistance in their power in making such a study as is contemplated under this act. The members of said commission and their assistants shall have power to require the production of papers and records and are hereby empowered to administer oaths. In case any person summoned by any member of such commission, or any assistants of such commission, shall fail or refuse to obey such process or to testify before such commission or any assistants of such commission, the said commission or any assistants of such commission may apply to any court of record of this State to compel obedience and to give testimony and the said courts are hereby empowered to enforce obedience to such process.

Sec. 4. That said commission shall, in addition to other work specified by this act, direct special attention to the feasibility and advisability of consolidating any of the existing State educational institutions or departments thereof, of eliminating any institution or institutions, and of co-ordinating and unifying the work of any or all institutions under one board of management and control.

Sec. 5. That there is hereby appropriated out of any money in the treasury not otherwise appropriated the sum of \$10,000, or so much thereof as may be necessary for the purpose of defraying the cost of the study herein authorized, including the personal and traveling expenses of the members of said commission, the salary and expenses of the necessary help and of such other expenses as in the opinion of said commission are necessary for the thorough study of school conditions in Alabama, provided that for the fiscal year beginning October 1, 1919, and for that year only, the legislative appropriation for the public schools as provided by statute shall be reduced in an amount equal to the amount actually expended of the above appropriation of \$10,000, as shown by the books in the office of the State auditor; provided further that the said fund shall be paid out upon warrants of the State auditor, issued upon requisitions of the State superintendent of education and having attached thereto itemized statements of said expenditures.

Approved February 6, 1919.

No. 200.)

(S. 312—Craft.

AN ACT

To require the City of Mobile to pay one-half of the annual expenses, of the Juvenile Court of Mobile County and of the detention homes for delinquent juveniles of Mobile County, including the salary of the Judge of said Court, the salaries of the Probation Officer, the salaries of the Superintendent, Matron and other employees necessary for the care of the detention homes for juvenile delinquents of Mobile County and the expense of providing and maintaining of detention homes for juvenile delinquents of Mobile County.

Be it enacted by the Legislature of Alabama:

1. That the Board of Revenue and Road Commissioners of Mobile County shall cause to be kept an accurate and true account of the amounts annually expended (meaning from the date of the passage and approval of this Act) by the County of Mobile in the payment of the salary of the Judge of the Juvenile Court of Mobile County, the salary of the Probation Officer or Officers of said Court, the salaries of the Superintendent, Matron and assistants of the detention homes for juvenile delinquents of Mobile County and the expenses of providing and maintaining detention homes for juvenile delinquents of Mobile County, and it shall be the duty of the City of Mobile, after an examination of said account, which must be made within thirty days after the same is presented to the Board of City Commissioners of Mobile City, or other governing officers of the said City of Mobile, to pay one-half of said account to the County of Mobile.

2. That all laws or parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

3. That this Act shall take effect and be in force on and after its approval.

Approved August 9, 1919.

No. 210.)

(S. 296—Smith of Lawrence.

AN ACT

To authorize W. J. Lee, E. E. Etheredge and R. N. Streater, and their successors in office, as trustees of public school district No. 59 in the Town of Town Creek, Lawrence County, Alabama, to execute a mortgage, and borrow money on the real estate belonging to said trustees, and their successors in office, in the Town of Town Creek, Lawrence County, Alabama.

Section 1. *Be it enacted by the Legislature of Alabama,* That W. J. Lee, E. E. Etheredge, R. N. Streater, and their successors in office, as trustees of school district No. 59 in the Town

of Town Creek, Lawrence County, Alabama, are hereby authorized to borrow money and execute a mortgage on the following described lands, as the lands of said trustees, to-wit: Beginning at a point one hundred and fifty-seven yards west from the center of the Greens Bluff public road, where the said Greens Bluff Road crosses the Courtland and Tuscumbia Public Road, and run thence north eighty-one yards, thence west one hundred and twenty-yards, thence south eighty-nine yards, thence east one hundred and twenty yards to a point of beginning, situated, lying and being in Section 29, Township 4, Range 8, West, in the State of Alabama. Also: Two acres of land beginning at the northeast corner of the two acres of land herein above described and thence running north eighty-one yards, thence west one hundred and twenty yards, thence south eighty-one yards, thence east one hundred and twenty yards to point of beginning, situated, lying and being in the town of Town Creek, County of Lawrence, State of Alabama.

Section 2. Be it further enacted that said trustees and their successors in office are hereby authorized to use the money borrowed as provided in section 1 of this Act in the building and equipping and furnishing of a school building being erected, or hereafter to be erected on the lands described in section 1 of this Act.

Section 3. Be it further enacted that all laws and parts of laws in conflict with this Act are hereby repealed.

Approved August 18, 1919.

No. 246.)

(H. 702—Orr.

AN ACT

To provide for the Town of Albertville and School District known as the Albertville School District, to manage and control the affairs of its public schools in said school district. To provide for the election of a board of education by the Town Council of the Town of Albertville, Alabama. To authorize said board of education to mortgage or pledge the property of said public school for the purpose of procuring additional funds to build or erect and equip a suitable public school building in said Town of Albertville, and to authorize payment and satisfaction of said mortgage out of funds hereafter derived from the levy of a special school tax in said school district.

Section 1. *Be it enacted by the Legislature of Alabama,* That on and after the passage and approval of this Act, the public school of the Town of Albertville, in the Albertville School District, shall be under the supervision, control and management of a board of education elected by the Town Council of the Town of Albertville, Alabama.

Section 2. That said board of education shall have the powers and authority over said school, in said school district, that the County Board of Education now has or may hereinafter be given by law.

Section 3. That in addition to the powers already conferred on boards of education by law, said board elected for the Town of Albertville under the provisions of this Act shall have the power and authority to borrow money and to execute a mortgage on the property of said school for the purpose of procuring additional funds for the erection and equipping a suitable school building in said Town.

Section 4. That said board of education shall have the right to pay off and satisfy said mortgage out of funds derived from the levy and collection of a special school tax voted in said school district, which may hereafter be levied as provided by law, or by other means as they may deem right and to the best interest of the school.

Section 5. That immediately after the passage and approval of this Act the Town Council of the said Town of Albertville shall have the right to proceed to elect a board of education consisting of five members, the same to be elected by a majority of the members of the council sitting at a regularly organized meeting of the Town Council and it shall be legal to elect said board of education at a called meeting of the council, provided however that all members of the council shall have at least one full days notice of said meeting.

Section 6. The term of office of said members of said board of education shall be for the same period as the council which elects them, and they shall serve without compensation.

Section 7. This Act shall go into effect immediately on its passage and approval by the Governor.

Section 8. All laws and parts of laws in conflict with this Act be and the same are hereby repealed.

Approved August 29, 1919.

No. 459.)

(H. 1052—Grayson of Mobile.

Be it enacted by the Legislature of Alabama:

Section 1. That whenever any person in this State has taught continuously in any of the public schools thereof for thirty years and has reached the age of sixty years, and his or her record as a teacher is without reproach, and by reason of physical inability or mental infirmity is unable to teach longer, and who is without the means of comfortable support, such teacher may lay his or

her case before the county board of education, or other school governing body by whatever name called, in all counties having a population of not less than eighty thousand nor more than eighty-two thousand according to the last or any succeeding Federal census, and the said board shall proceed to consider the same, and if the facts are found as stated above, the teacher shall be placed on the "Retired List," a record of which shall be kept by the said board and known as the "Retired List," and every person so placed on said list shall be entitled to receive a pension from the public school funds of the said county or counties of two hundred and forty (\$240.00) dollars per year to be paid quarterly by the county treasurer of public school funds of the county or counties in which the teacher making said application lives, as other teachers are paid; provided that said payment will be made as above authorized so long as said teacher is without means of comfortable support and until authorities of such county or counties may for any reason which they deem sufficient, discontinue the payment of said sum; provided further, that this act shall not become operative in any of said counties except upon a majority vote of the county board of education, or other school governing body by whatever name called, of said counties.

Approved September 10, 1915.

No. 473.)

AN ACT

(H. 748—Woodard.

To amend Section two of an act entitled "An Act to authorize the holding of elections by municipal corporations in the State of Alabama, for the purpose of obtaining authority to issue bonds, for public purposes herein defined, and to provide for holding such elections, and declaring the result thereof, and to authorize the issue of such bonds when a majority of the voters participating in such elections vote in favor of the issue of such bonds, and regulate the issue, execution, sale and security of such bonds," approved August 26, 1909 as amended by an act approved February 20, 1915.

Be it enacted by the Legislature of Alabama:

Section 1. That Section 2 of An Act entitled An Act to authorize the holding of elections by municipal corporations in the State of Alabama, for the purpose of obtaining authority to issue bonds for public purposes herein defined, and to provide for holding such elections, and declaring the result thereof and to authorize the issue of such bonds when a majority of the voters participating in such election vote in favor of the issue of such bonds, and to regulate the issue, execution, sale and security of such bonds approved August 26, 1909, and as amended by an act

approved February 20, 1915, be and the same is hereby amended so as to read as follows: Section 2. That all municipal corporations shall have full and continuing power and authority to issue and sell bonds when such issue is authorized by the election herein provided for, for the following named purposes, to-wit:

(1) For the purchase of real estate necessary for any improvement authorized by law, or for the site for any building or improvement to be used for public purposes. (2) For extending, enlarging, improving, repairing or securing, the more complete use of and enjoyment of any building or improvement owned, purchased or constructed by the municipality for equipping and furnishing the same. * * *

(9) For erecting city or town halls and public offices; public school houses and buildings to be used in connection with same. For the erection and establishment of public auditoriums and other buildings, for public meetings and for the purpose of rebuilding, extending, enlarging, repairing and equipping and furnishing the same. * * *

(14) For establishing free public libraries and reading rooms. * * *

(20½) For the purpose of providing for the payment of any obligations of any municipal corporation, whether arising from administration or from the acquisition of any property for public use or the construction of any improvement, or otherwise or whether said obligation shall have matured or not at the time of said issue. (21) For the payment of any deficiencies in the revenues of any municipal corporation; for the funding of floating debts, and for such other purposes as may be authorized by law or by the charter of any municipal corporation.

(22) For the purpose of providing any money or moneys deemed necessary by the governing body to provide for the administration of the city to the expiration of the fiscal year. * * *

Provided that paragraphs 20½ and 22 of this Section of this act shall apply only to cities which now have or may hereafter have a population of as much as one hundred thousand people according to the last Federal census or any such census which may hereafter be taken.

Approved Sept. 25, 1919.

No. 519.)

(S. 499—Carmichael.

AN ACT

To make an appropriation for the purchase of grounds and buildings, for the erection of additional buildings, for the repair of buildings and improvement of grounds, and for the equipment of the State Normal School at Daphne, Alabama.

Be it enacted by the Legislature of Alabama:

1. That there is hereby appropriated, out of any money in the State treasury not otherwise appropriated, the sum of thirty

thousand dollars for the purchase of grounds and buildings, for the erection of additional buildings, for the repair of buildings and improvement of grounds, and for the equipment of the State Normal School at Daphne, Alabama, the said appropriation, however, only to be available when a like sum of thirty thousand dollars has been collected and placed in the hands of the Treasurer of said State Normal School, thereby making the total sum of sixty thousand dollars available for the purposes indicated.

2. That the appropriation of thirty thousand dollars made under this Act shall be paid by the State Auditor upon requisition of the State Superintendent of Education, with the approval of the Governor, accompanied by a sworn statement of the treasurer of said State Normal School that the sum required to be raised by said school is in his hands available for use.

3. That nothing in this Act shall be construed to repeal or to any way interfere with any other appropriations now or hereafter to be made in behalf of said State Normal School.

Approved September 29, 1919.

No. 630.)

AN ACT

(S. 511—Espy.

To amend and consolidate Sections 54, 55, 56, 57 and 58 of the Code, and the Act of April 7, 1911, and the act of March 9, 1915, all relating to the "Canebrake Agricultural Experiment Station", at Uniontown, Alabama.

Be it enacted by the Legislature of Alabama:

1. The "Canebrake Agricultural Experiment Station" is established for the purpose of making experiments in Scientific Agriculture and Horticulture, live stock raising, dairying, poultry and bee keeping.

2. The Station is under the general supervision and control of a Board of Trustees composed of the Commissioner of Agriculture and Industries", ex officio, and five progressive farmers and business men who are interested in cultivating "Canebrake" lands, three of whom must reside within ten miles of the Station and who shall not receive any compensation other than expenses actually incurred in visiting the Station and while there supervising its affairs. The present members of the Board of Control, shall be entitled to hold their respective offices till the expiration of the terms for which they were appointed and as a term expires, the Governor, shall appoint a trustee for the term of five years, but not more than two trustees shall be appointed from one County. All vacancies in the office of Trustee shall be filled

by the Governor and the Trustee so appointed shall hold office for the unexpired term.

3. The Board of Trustees has authority to appoint and discharge at pleasure, all such officers, agents and servants as they may consider necessary for the proper operation of the Station, and shall fix their compensation. They shall select a "Director" to manage and control the operations and affairs of the Station, who must be an educated Scientific Agriculturist and a graduate of a reputable Agricultural College.

4. The Board of Trustees may hold institutes for the benefit of the farmers in the country surrounding the Station, and elsewhere, and may select and pay the lecturers at the Institutes and provide for their expenses while attending the Institutes. The Board of Trustees may lease or buy such additional land as may be necessary and proper to conduct the operations of the Station, successfully, under existing conditions. The Board of Trustees may conduct combination, or co-operative sales of any kind of live stock and shipments of live stock to distant markets. The Board of Trustees may sell any surplus product, or personal property of the Station and may give away or exchange any product of the Station which may promote the interest of Agriculture. The Board of Trustees must cause such experiments, in Agriculture and Horticulture, or in anything related thereto, as will advance the interests of Scientific Agriculture in any of its branches, especially on "Canebrake" lands and cause such necessary chemical analyses, as they may need, to be made by the Chemist of the Department of Agriculture, without charge.

5. The expenses of the Station not exceeding four thousand dollars, annually, must be paid out of the funds of the Department of Agriculture, to the Treasurer of the Board of Trustees, in equal installments on the first days of January, April, July, and October of every year.

6. Whenever a Trustee does not attend three successive regular meetings of the Board, or does not take an interest in the business of the Station, the Governor, upon the request of the Board shall vacate his office and appoint a successor.

Approved September 29, 1919.

No. 758.)

(H. 900—Lynne.

AN ACT

To confer * * * upon the Board of Control & Economy certain duties and authority with reference to the purchasing and supplies of the public printing and binding, stationery, fuel and paper, and other powers and authority incident to the more efficient control and coordination of the business operations of the State; also providing for the necessary ap-

propriation to pay all salaries, wages and other expenses and outlays authorized to be paid or incurred in this and the said original act of February 13, 1919.

Be it enacted by the Legislature of Alabama:

* * * * *

Section 5. The State Board of Control & Economy is hereby authorized in its discretion to make emergency purchases and purchases in quantities, or by wholesale, of supplies and equipment which it is hereby authority to purchase without previous requisition from any institution or department, and without advertising for bids, in order to enable it to obtain special bargain or low prices, or reduced prices incident to quantity purchasing, as well as to enable it to have on hand supplies in quantities of commodities of common use for any of the several institutions and departments served by it. In order to facilitate the execution of such authority, the board shall have authority to use a cash fund not to exceed \$20,000.00 to be advanced to it under authority of the governor to maintain and use for the purposes specified herein as a revolving fund out of which said purchases may be paid for, the said fund to be reimbursed out of the funds of the several institutions and departments so supplied. Said revolving fund to be supplied out of any funds derived through the operations of any department or institution under the custody and control of the Board of Control & Economy. To further promote and facilitate such quantity purchasing, the board is hereby authorized in making purchases referred to in the preceding paragraph of this section, in cases where cash funds may not be readily available, to execute its negotiable commercial paper with the approval of the Governor, signed by the chairman of the board, according to the usual commercial forms, custom and practice in such dealings between private persons, such commercial paper to cover the amount or amounts of any purchase or purchases and credit. The amount of such outstanding credit in no case or at any time to exceed the sum of \$50,000.00, the same to be reimbursed or taken up out of the funds of the several institutions or departments supplied, the proper accounting of which is to be kept by the board. A complete record shall be kept in the office of the board of all such purchases. The State Board of Control & Economy is hereby authorized to establish and promulgate rules and regulations for the proper conduct of the business and duties imposed and powers conferred by this section.

Section 6. The care, custody, equipment, repairing, insurance, inventorying and accounting for all the property of the State shall be in charge of the State Board of Control and Economy and the board is hereby vested with the authority to

promulgate rules and regulations for the proper conduct of the business and duties conferred by this section.

Section 7. The Board shall annually make and file in the office of the Governor a report of the results of its operations and the conduct of its business in the exercise of the powers granted to it; and it shall likewise report to the Governor within ten days before the beginning of each regular session of the Legislature all such matters as are required to be in its annual reports and any other information required by the Governor to be included in such report, and it shall be the duty of the Governor to inform the Legislature at the beginning of each regular session of the contents of such reports. All records of the board shall be open at all reasonable times for inspection by the public.

Section 7½. That the Board of Control shall also be the purchasing agent with like power for the purchase for the counties of the State, of stationery, books, blank books and office supplies and other supplies and materials, and also shall be purchasing agent for blank books, stationery, office supplies and material for use in the several State offices, departments, commissions, bureaus and boards other than for the use of the supreme court, the court of appeals, and the State and supreme court libraries. Provided the said Board of Control shall make purchases for the several counties of the State only when and only to the extent that it may be authorized to do so by the action of the court of county commissioners, board of revenue or other governing body of the county.

Sectin 8. All laws and parts of laws in conflict with this act are hereby repealed.

Section 9. This act shall take effect on the first day of January Nineteen hundred and twenty.

Approved September 30, 1919.

CRIMINAL PROVISIONS OF PUBLIC SCHOOL LAW

(See also "Criminal" and "Penalties" in index.)

[Schoolmaster stands in loco parentis and may, in a proper case, inflict corporal punishment; but is criminally liable for an abuse of his authority.—Boyd v. State, 88 Ala. 169; McCormack v. State, 102 Ala. 156.]

6413. *Injuring or defacing public or private buildings, or fences thereof.*—Any person who willfully injures or defaces any church, or schoolhouse, or building belonging to the State, or to any county, city, town, or person, or writes or draws figures, letters, or characters on the walls thereof, or on the fences or inclosures thereof, must, on conviction, be fined not less than ten nor more than one hundred dollars, and may also be imprisoned in the county jail, or sentenced to hard labor for the county, for not more than three months; and the fine goes to the injured party. It shall not be necessary to aver or prove the ownership of any church or schoolhouse in prosecutions under this section.

6769. *Disturbing people met for school purposes or holiday.*—Any person who willfully disturbs any school, or other assemblage of people, met for any lawful purposes, or for amusement or recreation on a holiday for a school, must, on conviction, be fined not less than five nor more than fifty dollars.

6834. *Embezzlement by using school money for other than school purposes.*—Any person into whose hands, or under whose control, any of the public school money may come, who uses or permits the use of the same, or any part thereof, except for purposes of the public schools, and in accordance with the law regulating the public schools, and providing for the disbursement of the public school money, is guilty of embezzlement, and, on conviction, must be punished as if he had stolen it.

6897. *Shooting, throwing missiles into, etc., dwelling and other houses.*—Any person who shoots a pistol or other firearm or slingshot, or who throws a stone or other missile at, into, in, through, or against a dwelling house, school house, church building, factory storehouse, courthouse or house or building used for manufacturing purposes, or any house or building used for the assemblage of people for business or pleasure, shall be guilty of a misdemeanor, and, on conviction thereof, shall be fined not more than one thousand dollars, and may be sentenced to hard labor for the county for not longer than twelve months.

7750. *Stealing examination questions, penalty for.*—Any person who purloins, steals, buys, receives, sells, gives, or offers to buy, give, or sell any examination questions or copies thereof of any examination provided by law before the date of the examination for which they had been prepared shall be guilty of a

misdemeanor, and, upon conviction thereof, shall be fined not less than one hundred dollars, and may be sentenced to hard labor for the county for not less than six months.

7751. *Use of other than contract books in public schools.*—Any teacher who shall use or permit to be used in his or her school any text-book upon the branches for which text-books are adopted, where the commission has adopted a book upon the branch, other than the one so adopted, except supplementary books, shall be guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not less than ten dollars nor more than fifty dollars.

7752. *Charging more than contract price for school books.*—Any local agent, dealer, clerk, or other person handling or selling the books adopted as school text-books, who shall demand or receive for any copy of any of the books so adopted more than the contract price, in cases where the purchase is for cash, shall be guilty of a misdemeanor, and, upon conviction, shall for each offense be punished by a fine of not less than fifty nor more than five hundred dollars.

7753. *Text-book provisions; violation of, penalty.*—Any person or teacher violating the provisions of article 18 of chapter 41 of this code as to text-books, shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars nor more than fifty dollars.

7754. *Schoolhouse warrants or proceeds, wrongful application of; penalty.*—Any person who shall knowingly use or apply or authorize the use or application of the proceeds, or any part thereof, of any warrant delivered to him under article 31 of chapter 41 of this code, for the purpose or objects other than as required by said articles, shall be guilty of a misdemeanor and, on conviction, shall be fined not less than two hundred dollars nor more than one thousand dollars, and may also be imprisoned in the county jail or sentenced to hard labor for the county for not more than six months.

7755. *False or fraudulent enumeration of school children; penalty for.*—Any person appointed to make an enumeration of the children within school age of any public school district in this State as required by law, who shall knowingly make a false or fraudulent enumeration or report of the number of children within school age residing in such district, shall be guilty of a misdemeanor, and, on conviction, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, and shall also be sentenced to hard labor for the county for not less than six months nor more than twelve months.

CONSTITUTION OF THE STATE OF ALABAMA

ARTICLE XI.

TAXATION.

* * * * *

216. No city, town, village, or other municipal corporation, other than as provided in this article, shall levy or collect a higher rate of taxation in any one year on the property situated therein than one-half of one per centum of the value of such property as assessed for State taxation during the preceding year; provided, that for the purpose of paying debts existing on the sixth day of December, eighteen hundred and seventy-five, and the interest thereon, a tax of one per centum may be levied and collected, to be applied exclusively to the payment of such indebtedness; * * * and provided further, that this section shall not apply to the city of Montgomery, which city shall have the right to levy and collect a tax of not exceeding one-half of one per centum per annum upon the value of taxable property therein, as fixed for State taxation, for general purposes, and an additional tax of not exceeding three-fourths of one per centum per annum upon the value of the property therein, as fixed for State taxation, to be devoted exclusively to the payment of its public debt, interest thereon, and renewals thereof, and to the maintenance of its public schools, and public conveniences; * * * and provided further, that this section shall not apply to the cities of Decatur, New Decatur, and Cullman, which cities may from and after the ratification of this Constitution, levy and collect an additional tax of not exceeding three-tenths of one per centum per annum; such special tax of said city of Decatur to be applied exclusively for the public schools, public school buildings, and public improvements; and such special tax of New Decatur and Cullman to be applied exclusively for educational purposes, and to be expended under their respective boards of Public School Trustees. * * *

ARTICLE XIV.

EDUCATION.

256. The Legislature shall establish, organize and maintain a liberal system of public schools throughout the State for the benefit of the children thereof between the ages of seven and twenty-one years. The public school fund shall be apportioned

to the several counties in proportion to the number of school children of school age therein, and shall be so apportioned to the schools in the districts or townships in the county as to provide, as nearly as practicable, school terms of equal duration in such school districts or townships. Separate schools shall be provided for white and colored children, and no child of either race shall be permitted to attend a school of the other race.

257. The principal of all funds arising from the sale or other disposition of lands or other property, which has been or may hereafter be granted or entrusted to this State or given by the United States for educational purposes shall be preserved inviolate and undiminished; and the income arising therefrom shall be faithfully applied to the specific object of the original grants or appropriations.

258. All lands or other property given by individuals, or appropriated by the State for educational purposes, and all estates of deceased persons who die without leaving a will or heir shall be faithfully applied to the maintenance of the public schools.

259. All poll taxes collected in this State shall be applied to the support of the public schools in the respective counties where collected.

260. The income arising from the Sixteenth Section trust fund, the surplus revenue fund, until it is called for by the United States government, and the funds enumerated in Section 257 and 258 of this Constitution, together with a special annual tax of thirty cents on each one hundred dollars of taxable property in this State, which the Legislature shall levy, shall be applied to the support and maintenance of the public schools, and it shall be the duty of the Legislature to increase the public school fund from time to time, as the necessity therefor and the condition of the treasury and the resources of the State may justify; provided, that nothing herein contained shall be so construed as to authorize the Legislature to levy in any one year a greater rate of State taxation for all purposes, including schools, than sixty-five cents on each one hundred dollars worth of taxable property; and provided further, that nothing herein contained shall prevent the Legislature from first providing for the payment of the bonded indebtedness of the State and interest thereon out of all the revenues of the State.

261. Not more than four per cent. of all moneys raised, or which may hereafter be appropriated for the support of public schools, shall be used or expended otherwise than for the payment of teachers employed in such schools; provided, that the Legislature may, by a vote of two-thirds of each House, suspend the operation of this section.

262. The supervision of the public schools shall be vested in a Superintendent of Education, whose powers, duties and compensation shall be fixed by law.

263. No money raised for the support of the public schools shall be appropriated to or used for the support of any sectarian or denominational school.

264. The State University shall be under the management and control of a board of trustees which shall consist of two members from the Congressional district in which the University is located, one from each of the other Congressional districts in the State, the Superintendent of Education and the Governor who shall be ex-officio president of the board. The members of the Board of Trustees as now constituted shall hold office until their respective terms expire under existing law, and until their successors shall be elected and confirmed as hereinafter required. Successors to those trustees whose terms expire in nineteen hundred and two shall hold office until nineteen hundred and seven; successors to those trustees whose terms expire in nineteen hundred and four shall hold office until nineteen hundred and eleven; successors to those trustees whose terms expire in nineteen hundred and six shall hold office until nineteen hundred and fifteen; and thereafter their successors shall hold office for a term of twelve years. When the term of any member of such board shall expire, the remaining members of the board shall by secret ballot elect his successor; provided, that any trustee so elected shall hold office from the date of his election until his confirmation or rejection by the Senate, and, if confirmed, until the expiration of the term for which he was elected, and until his successor is elected. At every meeting of the Legislature the Superintendent of Education shall certify to the Senate the names of all who have been so elected since the last session of the Legislature, and the Senate shall confirm or reject them, as it shall determine is for the best interest of the University. If it reject the names of any members, it shall thereupon elect trustees in the stead of those rejected. In case of a vacancy on said board by death or resignation of a member, or from any cause other than the expiration of his term of office, the board shall elect his successor who shall hold office until the next session of the Legislature. No trustee shall receive any pay or emolument other than his actual expenses incurred in the discharge of his duties as such.

265. After the ratification of this Constitution there shall be paid out of the treasury of this State, at the time and in the manner provided by law, the sum of not less than thirty-six thousand dollars per annum as interest on the funds of the University of Alabama, heretofore covered into the treasury, for the maintenance and support of said institution; provided, that the Legislature shall have the power at any time they deem proper for the

best interest of said University to abolish the military system at said institution, or reduce the said system to a department of instruction, and that such action on the part of the Legislature shall not cause any diminution of the amount of the annual interest payable out of the treasury for the support and maintenance of said University.

266. The Alabama Polytechnic Institute, formerly called the Agricultural and Mechanical College, shall be under the management and control of a Board of Trustees, which shall consist of two members from the Congressional district in which the institute is located, and one from each of the other Congressional districts in the State, the State Superintendent of Education, and the Governor, who shall be ex-officio president of the board. The trustees shall be appointed by the Governor, by and with the advice and consent of the Senate, and shall hold office for a term of twelve years, and until their successors shall be appointed and qualified. The board shall be divided into three classes, as nearly equal as may be, so that one-third may be chosen quadrennially. Vacancies occurring in the office of trustees from death or resignation, and the vacancies regularly occurring in the year nineteen hundred and five, shall be filled by the Governor, and such appointee shall hold office until the next meeting of the Legislature. Successors to those trustees whose terms expire in nineteen hundred and three shall hold office until nineteen hundred and eleven; successors to those whose terms of office expire in nineteen hundred and five shall hold office until nineteen hundred and fifteen; and successors to those whose terms of office expire in nineteen hundred and seven shall hold office until nineteen hundred and nineteen. No trustee shall receive any pay or emolument other than his actual expenses incurred in the discharge of his duties as such.

267. The Legislature shall not have power to change the location of the State University, or the Alabama Polytechnic Institute, or the Alabama school for the Deaf and Blind, or the Alabama Girls' Industrial school, as now established by law, except upon a vote of two-thirds of the Legislature taken by yeas and nays and entered upon the Journals.

268. The Legislature shall provide for taking a school census by townships and districts throughout the State not oftener than once in two years, and shall provide for the punishment of all persons or officers making false or fraudulent enumerations and returns; provided, the State Superintendent of Education may order and supervise the taking of a new census in any township, district or county, whenever he may have reasonable cause to believe that false or fraudulent returns have been made.

269. The several counties in this State shall have power to levy and collect a special tax not exceeding ten cents on each one

hundred dollars of taxable property in such counties, for the support of public schools; provided, that rate of such tax, the time it is to continue, and the purpose thereof, shall have been first submitted to a vote of the qualified electors of the county, and voted for by three-fifths of those voting at such election; but the rate of such special tax shall not increase the rate of taxation, State and county combined, in any one year, to more than one dollar and twenty-five cents on each one hundred dollars of taxable property; excluding, however, all special county taxes for public buildings, roads, bridges and the payment of debts existing at the ratification of the Constitution of eighteen hundred and seventy-five. The funds arising from such special school tax shall be so apportioned and paid through the proper school officials to the several schools in the townships and districts in the county that the school terms of the respective schools shall be extended by such supplement as nearly the same length of time as practicable; provided, that this section shall not apply to cities of Decatur, New Decatur and Cullman.

270. The provisions of this article and of any act of the Legislature passed in pursuance thereof to establish, organize and maintain a system of public schools throughout the State, shall apply to Mobile county only so far as to authorize and require the authorities designated by law to draw the portions of the funds to which said county shall be entitled for school purposes and to make reports to the Superintendent of Education as may be prescribed by law; and all special incomes and powers of taxation as now authorized by law for the benefit of public schools in said county shall remain undisturbed until otherwise provided by the Legislature; provided, that separate schools for each race shall always be maintained by said school authorities.

ARTICLE XIX.

Section 1. The several counties in the State shall have power to levy and collect a special county tax not exceeding thirty cents on each one hundred dollars worth of taxable property in such counties in addition to that now authorized or that may hereafter be authorized for public school purposes, and in addition to that now authorized under section 260 of article XIV of the Constitution; provided, that the rate of such tax, the time it is to continue and the purpose thereof shall have been first submitted to the vote of the qualified electors of the county, and voted for by a majority of those voting at such election.

Section 2. The several school districts of any county in the State shall have power to levy and collect a special district tax not exceeding thirty cents on each one hundred dollars worth of taxable property in such district for public school purposes; pro-

vided that a school district under the meaning of this section shall include incorporated cities or towns, or any school district of which an incorporated city or town is a part, or such other school districts now existing or hereafter formed, as may be approved by the county board of education; provided further, that the rate of such tax, the time it is to continue and the purpose thereof shall have been first submitted to the vote of the qualified electors of the district and voted for by a majority of those voting at such election; provided further, that no district tax shall be voted or collected except in such counties as are levying and collecting not less than a three-mill special county school tax.

Section 3. The funds arising from the special county school tax levied and collected by any county shall be apportioned and expended as the law may direct; and the funds arising from the special school tax levied in any district which votes the same independently of the county shall be expended for the exclusive benefit of the district. as the law may direct.

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